

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
CIVIL ACTION NO. 83-2864 SA

ROSE D. and ANTONIO CIPOLLONE
her husband,

Plaintiffs,

vs.

LIGGETT GROUP, INC., a
Delaware Corporation; PHILIP
MORRIS INCORPORATED, a Virginia
Corporation; LOEWS THEATRES, INC.,
a New York Corporation,

Defendants.

: Deposition of:
: CARL G. THOMPSON
:

Property of: Ness, Motley
Main PI File Room
Charleston, SC

TRANSCRIPT of testimony as taken by and
before JANE LORFING, a Certified Shorthand
Reporter and Notary Public of the State of New
Jersey, at the offices of POLLOCK, FULLENWIDER,
CUNNINGHAM & PATTERSON, 235 East Pennsylvania
Avenue, Southern Pines, North Carolina, on
Wednesday, January 9, 1985, commencing at 10:00 in
the forenoon.

A P P E A R A N C E S:

PORZIO, BROMBERG & NEWMAN

163 Madison Avenue

CN 097

Morristown, New Jersey 07960

BY: MARC Z. EDELL, ESQ.

For Rose D. Cipollone and Antonio Cipollone

WEBSTER & SHEFFIELD

1 Rockefeller Plaza

New York, New York 10020

BY: JOHN J. O'CONNELL, ESQ.

For Liggett Group, Inc.

SHOOK, HARDY & BACON

20th Floor

Mercantile Bank Tower

1101 Walnut

Kansas City, Missouri 64106

BY: DAVID K. HARDY, ESQ.

For Philip Morris, Inc.

A P P E A R A N C E S : (Continued)

BROWN, CONNERY, KULP, WILLE,

PURNELL & GREENE

Parkade Building

518 Market Street

P.O. Box 1449

Camden, New Jersey 08101

BY: MICHAEL J. VASSALOTTI, ESQ.

For Philip Morris, Inc.

SILLS, BECK, CUMMIS, ZUCKERMAN,

RADIN & TISCHMAN, P.A.

33 Washington Street

Newark, New Jersey 07102-3179

BY: PHILIP R. SELLINGER, ESQ.

For Loews Theatres, Inc.

ARNOLD & PORTER

1200 New Hampshire Avenue, N.W.

Washington, D.C. 20036

BY: BRUCE M. CORMIER, ESQ.

For Philip Morris, Inc.

1 A P P E A R A N C E S: (Continued)

2

3 POLLOCK, FULLENWIDER, CUNNINGHAM &

4 PATTERSON, P.A.

5 BY: BRUCE T. CUNNINGHAM, ESQ.

6 235 East Pennsylvania Avenue

7 Southern Pines, North Carolina 28387

8 For Carl Thompson

9

10 ALSO PRESENT:

11 MICHELE BROWN

12

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I N D E XWITNESSDIRECT

CARL G. THOMPSON

MR. EDELL

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E X H I B I T SNUMBERDESCRIPTIONIDENTIFICATION

CT-1 Copy of three-page memo dated
9/22/58

43

CT-2 Copy of four-page report dated
3/7/64, 3/8/64

53

CT-3 Copy of four-page report dated
9/21/63 and 9/22/63

54

CT-4 Copy of memo dated 1/17/61

62

CT-5 Copy of Tobacco, Alcohol and
Narcotics Education in the
Public Schools document dated
10/59

67

E X H I B I T S

(Continued)

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>IDENTIFICATION</u>
CT-6	Copy of six-page Public Relations Proposals for the Tobacco Institute	78
CT-7	Copy of three-page memo dated 6/3/60	91
CT-8	Copy of 14-page Proposals for the Tobacco Industry	91
CT-9	Copy of memo dated 7/2/59 with 14-page Public Relations Proposals dated 7/9/59 attached	96
CT-10	Copy of four-pae memo dated 10/18/68	110
CT-11	Copy of three-page memo dated 2/27/68	119
CT-12	Copy of 12-page document dated 8/28/63	121

E X H I B I T S

(Continued)

<u>NUMBER</u>	<u>DESCRIPTION</u>	<u>IDENTIFICATION</u>
CT-13	Copy of multi-page document	144
CT-14	Copy of article "Smoking and Lung Cancer" 12/12/59	146
CT-15	Copy of Special Article "Smoking and Lung Cancer."	149
CT-16	Copy of Public Relations Program and Budget Proposals for 1962	159
CT-17	Copy of memo dated 8/18/61 with attachments	160

1 C A R L G. T H O M P S O N,

2 [DELETED]

3
4 DIRECT EXAMINATION BY MR. EDELL:

5 Q. We introduced ourselves off the
6 record. My name is Marc Edell, I represent the
7 plaintiffs in this action. This young lady to my
8 left as you inquired is a Certified Shorthand
9 Reporter and she will take down everything that
10 any one of us says in this room today.

11 Let me just give you the ground rules
12 for this deposition. A deposition is a court
13 proceeding whereby we are permitted to find out
14 certain facts which we believe are pertinent and
15 relevant to a piece of litigation. If any of my
16 questions are unclear, you don't understand them,
17 they don't make any sense, please tell me and I'll
18 try to rephrase them; okay? You are nodding your
19 head affirmatively. You have to say yes.

20 A. Yes.

21 Q. You can say no if you'd like but you
22 have to say something.

23 If at any point in time you want to
24 take a break, please tell us, we'll be happy to
25 accommodate you. If you don't remember a

C. G. Thompson

1 particular fact, if you don't -- or if you never
2 knew it, when I ask you a question, please tell us.
3 We are going to presume when you give us an answer
4 to a question you understood the question and you
5 are accurately responding to it, okay? Yes?

6 A. Yes.

7 Q. From time to time there may be an
8 objection by any one of these lawyers here in this
9 room. If an attorney has an objection, please
10 don't respond to the question until the attorney
11 has placed their objection on the record. Now, if
12 it's your attorney, Mr. Cunningham, he may
13 indicate to you you should not answer a particular
14 question. And I would suggest that you follow his
15 direction since he represents you. If at any
16 point in time you want to speak with your lawyer,
17 please feel free to do so, okay?

18 A. All right.

19 Q. Mr. Thompson, when did you first
20 speak with your lawyer, Mr. Cunningham, regarding
21 this proceeding?

22 A. Some time in December.

23 Q. And had Mr. Cunningham represented
24 you on prior occasions?

25 A. No, not -- no.

C. G. Thompson

1 Q. Had anyone in this firm, the Pollock,
2 Fullenwider, Cunningham & Patterson represented
3 you previously?

4 MR. CUNNINGHAM: Close enough.

5 A. No.

6 Q. How is it, sir, you came to speak
7 with Mr. Cunningham?

8 A. Mr. Pollock is the head of the firm, is an
9 old friend of mine.

10 Q. And why did you retain counsel?

11 A. Well, it seemed to me that with this sort of
12 thing, I needed it.

13 Q. Did you speak with anyone at Hill and
14 Knowlton?

15 A. Yes.

16 Q. Who did you speak with?

17 A. Well, I speak with several people up there
18 but the main person was Sandra Grayson, the
19 attorney with J. W. Thompson or J.W.T. Group, I
20 don't know which she is with.

21 Q. Were you given any advice with
22 respect to retaining an attorney with respect to
23 this litigation?

24 A. I suppose they did but I don't remember, we
25 didn't discuss it very much. I merely told her

C. G. Thompson

1 that I was involved -- involved, Hill and Knowlton,
2 yes, I think she suggested I get an attorney.

3 Q. Did Hill and Knowlton make any
4 representations to you with respect to whether or
5 not they were going to pay for your counsel fees
6 in regard to this proceeding?

7 A. No.

8 Q. There's no understanding in that
9 regard, is that correct?

10 A. No, not that I know of.

11 Q. Have you had an opportunity to
12 discuss this proceeding with Mr. Cunningham?

13 A. Yes.

14 Q. And approximately how much time have
15 you spent with Mr. Cunningham in anticipation of
16 this proceeding?

17 A. Can I consult with him?

18 Q. If you'd like.

19 THE WITNESS: I don't know, how much,
20 four hours?

21 MR. CUNNINGHAM: Yes.

22 Q. Did you review any documents?

23 A. No.

24 Q. Did you speak with any other lawyers
25 other than is it Ms. Grayson?

C. G. Thompson

1 A. No.

2 Q. Did they explain to you what they
3 anticipated I was going to go into?

4 A. No, they said that you might ask me a lot of
5 questions about what I did and might have some
6 documents that you would ask me about but they
7 didn't tell me what ones or anything about it.

8 Q. They didn't discuss with you any
9 particular document, is that correct?

10 A. No.

11 Q. Did you discuss this proceeding with
12 anyone other than Ms. Grayson, Mr. Cunningham and
13 these lawyers who are present here today to
14 represent the defendants in this action?

15 A. No.

16 Q. You didn't speak with any employees
17 of Hill and Knowlton other than the attorneys, is
18 that correct?

19 A. The -- when the matter came up, I called
20 somebody at Hill and Knowlton to ask who I should
21 talk to and they referred me to Grayson. I think
22 it's John Neary who is our financial and I'm not
23 even sure who it was -- it was quite a long time
24 ago. All I did was tell them that I had received
25 something from you and -- who should I talk to.

C. G. Thompson

1 He referred me to Sandra.

2 Q. How is your health, sir?

3 A. Fine.

4 Q. Are you taking any medications?

5 A. No.

6 Q. Heart's okay as far as you know?

7 A. Keeps me going.

8 Q. No high blood pressure or anything
9 like that?

10 A. Not that my most recent examination shows.

11 Q. No respiratory problems?

12 A. Not unless I have a cold.

13 Q. You are 71 years old?

14 A. I believe that was --

15 Q. January 1, happy birthday.

16 A. I try to forget it.

17 Q. Give us the benefit of your
18 educational background, sir.

19 A. What do you mean the benefit of it, do you
20 want me to tell all about everything I learned or
21 do you want to know where I went?

22 Q. Well, you can tell me where you went
23 and then you can tell me what you learned,
24 whichever order you'd like to tell me.

25 A. After graduating from Southern Pines High

C. G. Thompson

1 number of responsibilities. I edited and I wrote.

2 Q. Did you write on any particular
3 subject matter?

4 A. No, covered what was necessary to cover.
5 United States Supreme Court, U. S. Senate, U. S.
6 House and a number of other things.

7 Q. You were in the Air Force from 1942
8 to 1945?

9 A. I think so.

10 Q. And you also attended school in
11 England, is that correct?

12 A. Oh, I went down to Oxford for a special
13 course, one week was all. I mean it wasn't a --
14 it was sort of a goof-off if anything but it was
15 interesting.

16 Q. Lovely city, Oxford, right?

17 A. Yes.

18 Q. You started Hill and Knowlton when,
19 sir?

20 A. Oh, God, I don't even remember. I think it
21 was 1950.

22 Q. And which office were you with at
23 that time?

24 A. Washington.

25 Q. What did you do with the Washington

C. G. Thompson

1 office of Hill and Knowlton?

2 A. Everything. I mean --

3 Q. Well, I never worked for Hill and
4 Knowlton, sir. Let me just go back again to some
5 of my prefatory remarks. I'm here to find out
6 certain facts, specifically with respect to your
7 work at Hill and Knowlton. I never worked there,
8 I never was in their office, I have no idea what
9 they did other than what I've seen in some of
10 these documents so I'm trying to find out from you
11 specifically what was being done at given points
12 in time at Hill and Knowlton, how it was organized.
13 It may take a while to do that so we should all
14 have a lot of patience and just sit here and tell
15 me everything you can remember at a given point in
16 time at Hill and Knowlton, okay?

17 A. No, I'm not going to go into everything I
18 did because I can't remember everything I did and
19 I don't think it's relevant. In the Washington
20 office you work with clients who had Washington
21 bureaus and you advised other clients on problems
22 that they might have in Washington and maybe how
23 to handle them.

24 Q. Which clients did you work with?

25 A. Well, among others was the American Iron and

C. G. Thompson

1 Steel Institute. I did some with Aircraft
2 Industries Association and I don't remember the
3 others. I mean they were in and out all the time.

4 Q. How was Hill and Knowlton structured
5 at that point in time? Did it have divisions, did
6 it have areas of responsibilities such as the
7 education division or the environmental division
8 as --

9 A. No, it didn't have all of those, I don't
10 think it had that type of division but I don't
11 remember specifically. It did have areas of
12 assignment.

13 Q. And what was your area of assignment,
14 sir?

15 A. Washington.

16 Q. It was just a geographic assignment?

17 A. Well, it was the Washington bureau in effect,
18 the Washington office. Whatever was necessary to
19 be done there.

20 Q. Well, did the work at the Washington
21 office differ than the work, than the New York
22 office?

23 A. Well, yes, in many ways it dealt with
24 Washington problems and Washington media and the
25 advice on matters before Congress or before

C. G. Thompson

1 government agencies, how do deal with them.

2 Q. And did you deal with the press at
3 that time as well as dealing with --

4 A. Yes.

5 Q. Did you deal with legislators also?

6 A. Not directly. In other words I was not into
7 lobbying.

8 Q. Would you prepare materials to be
9 furnished to people whose responsibility it was to
10 perform lobbying?

11 A. We would assist with it, yes.

12 Q. When was your first contact with the
13 tobacco industry in terms of your professional
14 career, sir?

15 A. Well I don't imagine you mean covering the
16 tobacco markets for the Sanford Herald or the
17 Raleigh News Herald, do you, but I worked with
18 tobacco -- we even grew some on our farm here.

19 Q. While you were at Hill and Knowlton
20 did there come a point in time that you consulted
21 with representatives from the tobacco industry?

22 A. Not until they formed the Tobacco Industry
23 Research Committee.

24 Q. When was that, do you remember?

25 A. No. It was in the early fifties but I can't

C. G. Thompson

1 tell you the year. It was 1954 I think but I
2 can't tell you precisely because I wasn't involved
3 in the formation of it.

4 Q. Who at Hill and Knowlton if anyone
5 was involved in the formation of it?

6 A. It was done in New York and I -- I don't
7 know but I presume our John Hill and other
8 executives up there.

9 Q. Who is Mr. Hoyt?

10 A. Well, he was involved in it. I think he's
11 still the executive director of the Tobacco
12 Research Council.

13 Q. At the formation of the TIRC, was he
14 still employed by the -- by Hill and Knowlton?

15 MR. HARDY: Excuse me, just for purposes of
16 clarity, can we deal with full names here?

17 MR. EDELL: Tobacco Research -- W. T.
18 Hoyt is it?

19 THE WITNESS: Thomas W. Hoyt.

20 Q. Do you remember the question, sir?

21 A. Yes, but I don't remember the answer. Was
22 he employed by Hill and Knowlton?

23 Q. At that time.

24 A. Well, I really am not sure. When I first
25 got to know him he was whatever his job was of the

C. G. Thompson

1 tobacco -- he was the executive of the Tobacco
2 Industry Research Committee. I think he was
3 employed by Hill and Knowlton but I'm not going to
4 say yes or no because I'm not positive. I wasn't
5 involved in it at that time.

6 Q. In the formation of it, TIRC.

7 A. Correct.

8 Q. You understand what I'm saying when I
9 say TIRC?

10 A. Yes.

11 Q. Who else other than W. T. Hoyt and
12 Mr. Hill were involved -- from Hill and Knowlton's
13 perspective, were involved in the formation of the
14 TIRC?

15 A. I don't know. They were organized in New
16 York and I could only guess that the top
17 executives were involved but I don't know. I was
18 not there. I was not involved.

19 Q. Prior to the formation of the TIRC,
20 do you know whether or not Hill and Knowlton did
21 any work for any members of the tobacco industry?

22 A. I don't know. I don't think we did but as
23 far as I know, we did not.

24 Q. Was the formation of the TIRC a
25 recommendation of Hill and Knowlton?

C. G. Thompson

1 A. I was not involved in the formation of the
2 TIRC.

3 Q. I understand that.

4 A. Well, then I don't know.

5 Q. Well, did you --

6 A. I don't think so. It was an industry effort.

7 Q. What role did Hill and Knowlton play?

8 A. I think I will go back to what I said at the
9 beginning, I was not involved in it. I cannot
10 answer these questions. I could only surmise and
11 I'm not going to surmise.

12 Q. Were you ever informed by anyone as
13 to what role Hill and Knowlton played, sir?

14 A. No, but as public relations counsel, we
15 probably -- and as public relations counseling
16 firm that worked with other industry groups, I
17 assume we did what --

18 MR. SELLINGER: Mr. Thompson, I
19 caution if you can answer the question to answer
20 the question but not to assume or guess in
21 responding to questions.

22 MR. EDELL: Is that an objection,
23 counsel?

24 MR. SELLINGER: It's an objection and
25 a caution to the witness.

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1 MR. EDELL: He has an attorney to
2 represent him. If you have an objection, place
3 your objection on the record.

4 MR. SELLINGER: It's on the record.

5 MR. EDELL: I didn't know it was an
6 objection.

7 Can we have the question and answer,
8 please?

9 (Pending testimony read.)

10 Q. Will you finish your response, sir?

11 A. Yes.

12 Q. You did finish it, is that what you
13 are saying?

14 A. Yes.

15 Q. What was your responsibility at Hill
16 and Knowlton insofar as the Tobacco Industry
17 Research Committee was concerned going back to the
18 formation of the TIRC in 1954?

19 A. I was still in the Washington office. I
20 don't remember what we did. We did provide
21 information about what was going on in Washington
22 relating to the tobacco problem at the time.

23 Q. What did you specifically do?

24 A. Provide information about what was going on
25 in Washington. I didn't -- I was not assigned to

C. G. Thompson

1 the account at that time.

2 Q. Was there anyone in Washington who
3 was assigned to the account?

4 A. No.

5 Q. Did you gather information pertinent
6 to the account?

7 A. I don't recall specifically what we did.

8 Q. Do you recall generally what you did,
9 sir?

10 A. What I just told you.

11 Q. How did you go about gathering
12 information?

13 A. Paying attention to what was going on in
14 Washington.

15 Q. How did you do that?

16 A. I don't know how to answer a question like
17 that. If there was something going on in Congress,
18 we watched what was going on or reported from what
19 the papers were reporting or wherever we got the
20 information.

21 Q. Is it your testimony that all you
22 were doing was clipping newspaper articles
23 pertinent to tobacco industry?

24 A. I didn't say that.

25 Q. Well, other than clipping newspaper

C. G. Thompson

1 articles pertinent to the tobacco industry, how
2 did you find out what was going on in Congress?

3 A. One can go up to Congress and sit in the
4 gallery and find out or sit in the committee room.

5 Q. Is that what you did?

6 A. If there was that type of thing going on. I
7 do not remember specifically. I was doing a great
8 many other things and I don't remember
9 specifically what we did from day-to-day 30 years
10 ago.

11 Q. Thirty-one.

12 Did there come a point in time that
13 you had more responsibility pertinent to the
14 Tobacco Industry Research Committee than that
15 which you have already described for us?

16 A. Yes.

17 Q. And when was that?

18 A. It was either late 1954 or early 1955 I was
19 asked to come to New York and take over the
20 responsibility among other things of working with
21 the Tobacco Industry Research Committee as a Hill
22 and Knowlton client.

23 Q. And did you do that?

24 A. Yes. I'm not sure whether I was asked or
25 ordered to but I did it.

C. G. Thompson

1 Q. And what were your responsibilities
2 at that time?

3 A. Account executive for the Tobacco Industry
4 Research Committee.

5 Q. And what were your responsibilities
6 as account executive of the Tobacco Industry
7 Research Committee?

8 A. Informing various publics including
9 scientists what the Tobacco Industry Research
10 Committee was doing and how it was doing it. That
11 was mainly providing funds for research in the
12 question of tobacco and health. The research was
13 carried -- developed and carried out through, not
14 by necessarily, but through a Scientific Advisory
15 Board of outstanding doctors and scientists. We
16 also followed scientific reports and meetings
17 relating -- related to the question of smoking and
18 health.

19 Q. As account executive for the TIRC,
20 you would follow scientific reports about meetings
21 dealing with the issue of smoking and health and
22 you would make known to "various publics" what and
23 how the TIRC is doing; is that correct?

24 A. Yes.

25 Q. Anything else that you did as an

C. G. Thompson

1 account executive for TIRC?

2 A. I think not specifically. We I'm sure
3 carried out some administrative activities but
4 they were more or less routine because the TIRC
5 did not have a major staff of its own and we would
6 help set up meetings of the committee and do the
7 routine work related to that.

8 Q. How was the TIRC organized at that
9 time, sir, the structure of it?

10 A. Well, it was a committee of top executives,
11 not necessarily the top executives. I don't
12 remember who they were of -- some, not all, major
13 manufacturing companies and I think there were
14 some grower groups involved. I get confused
15 between that and The Institute but I think there
16 were some grower groups involved in the TIRC, too.

17 Q. Was that the body that directed the
18 TIRC?

19 A. Well, mainly that raised the money for the
20 research, yes. It was the body that was the
21 organization which provided money for the research
22 to be carried on.

23 Q. And who from an administrative
24 perspective was employed by the TIRC at that time?

25 A. Well, W. T. Hoyt was their executive

C. G. Thompson

1 director.

2 Q. That's Wilson T. Hoyt?

3 A. Yes. He was known as Thomas Hoyt but I
4 think his name is Wilson Thomas Hoyt.

5 Q. What had his position been -- I'm
6 sorry.

7 A. And his boss in fact was T. V. Hartnett,
8 Timothy V. Hartnett. Don't hold me to that but
9 I'm pretty sure, he's deceased, he had been
10 president if I'm not mistaken of Brown &
11 Williamson Tobacco Company. He was the president
12 or chairman I guess they call him of the Tobacco
13 Industry Research Committee and he was the main
14 industry contact.

15 Q. Are you finished with your response?

16 A. Yes.

17 Q. What position did Mr. Hoyt hold with
18 Hill and Knowlton?

19 A. I don't know, he was an account executive I
20 guess. I did not know him until we got involved
21 in the TIRC. He was in the New York office.

22 Q. Well, when you got involved in the
23 TIRC, I assume that you had some contact with the
24 gentleman.

25 A. He was -- at that time he was executive of

C. G. Thompson

1 the TIRC.

2 Q. And you never discussed with him the
3 years he spent with Hill and Knowlton?

4 A. Not that I know of.

5 Q. Was there anyone other than you who
6 worked on the TIRC account back in 1955?

7 A. Yes.

8 Q. Who else worked on that account, sir?

9 A. I cannot answer you because the way Hill and
10 Knowlton works, we called in a lot of them. I
11 think at that time -- I think one of our men was a
12 fellow named Leonard Zahn, Z-a-h-n, but we had
13 others in and out but I cannot recall when they
14 were. Our staff members were assigned to many,
15 many things and they went back and forth and
16 around and I'm sure there were many others. I
17 know there were others if that helps us.

18 Q. How was the New York office
19 structured at that time, the Hill and Knowlton
20 office, I'm sorry?

21 A. I don't know what you mean by structured.
22 We had a president and various vice-presidents who
23 had various responsibilities.

24 Q. Who was the president? Who were the
25 vice-presidents?

C. G. Thompson

1 A. At that time I don't know. John Hill was
2 the top man, intended to be. There were others.

3 Q. Who is Mr. Darrow?

4 A. He was there.

5 Q. What's his first name?

6 A. Richard.

7 Q. Is he still alive?

8 A. Pardon me?

9 Q. Is he still alive?

10 A. No.

11 Q. Did he work with you on the TIRC
12 account?

13 A. I think he did, I know he did some of The
14 Institute. I think he did.

15 Q. Who was Mr. -- I'm sorry?

16 A. Bert Goss was the second man under Hill. I
17 obviously worked with him and he was interested in
18 it. Bert Goss is dead.

19 Q. Did you work with a gentleman by the
20 name of Edward DeHart is it?

21 A. Yes.

22 Q. Did he work on the TIRC account?

23 A. I'll be frank with you, I'm confused on time
24 and overlap because so many things. The answer is
25 he worked, I know he worked on The Tobacco

C. G. Thompson

1 Institute. Whether he came with us, I think he
2 did work on TIRC but I'm not positive because I
3 can't remember exactly when he came with us. But
4 yes, he worked -- I worked with him and on tobacco
5 but not necessarily TIRC. I cannot answer
6 specifically.

7 Q. Was the Scientific Advisory Board of
8 the TIRC in place when you became the account
9 executive for the TIRC?

10 A. Yes.

11 Q. Do you know how the Scientific
12 Advisory Board was established by the TIRC?

13 A. No.

14 Q. Did you during the course of your
15 being the account executive on the TIRC do
16 anything in seeking out additional members for the
17 Scientific Advisory Board?

18 A. If I did, I don't recall. If they had a
19 vacancy we may have recommended to the board other
20 people but I don't recall.

21 Q. Was part of your responsibility at
22 Hill and Knowlton to find out what different
23 scientists and medical physicians felt concerning
24 the issue of cigarette smoking and health?

25 A. If it was relevant to anything but we didn't

C. G. Thompson

1 make polls or anything.

2 Q. Did you maintain files on certain
3 scientists or medical researchers concerning work
4 that they did on tobacco and health?

5 A. Yes.

6 Q. And when was -- how would you
7 describe those files, sir? Were they called
8 expert files, were they called --

9 A. Primarily justifies of papers that were
10 either published or reported at meetings.

11 Q. But were they maintained on a
12 specific individual?

13 A. They were more likely to be maintained on
14 specific areas of research. They weren't -- we
15 didn't necessarily file an individual unless he
16 kept reporting but insofar as we did that, why we
17 tried to keep up with everything he reported.

18 Q. Other than the materials that he
19 would or she would report in the literature, would
20 Hill and Knowlton take any additional steps to
21 find out information pertinent to that individual?

22 A. Not that I know of.

23 Q. How did Hill and Knowlton go about
24 telling various publics as to what the TIRC was
25 doing?

C. G. Thompson

1 A. Well, in various communications among other
2 things, news releases about research grants that
3 were made, helping set up talks by say Dr.
4 Clarence Cook Little who was the chairman of the
5 Scientific Advisory Board before scientific or
6 other groups to tell it. And I think occasionally
7 briefing them on calls before congressional
8 committees. I'm pretty sure that Dr. Little was
9 called before a committee but I can't recall
10 specifically any times, T. V. Hartnett, and would
11 talk to industry groups and we would assist him in
12 that including grower groups and state
13 organizations. And I -- well, as I say, various
14 conferences, the members of the Scientific
15 Advisory Board, but particularly Dr. Little would
16 occasionally hold a press conference if there's
17 something -- some reason for it.

18 Q. And would Hill and Knowlton take care
19 of the mechanics of setting up that press
20 conference?

21 A. Yes, that was our function. We were public
22 relations counsel and we would also even keep the
23 Scientific Advisory Board informed of things going
24 on related to what they were dealing with if we
25 knew about them.

C. G. Thompson

1 Q. Such as?

2 A. Scientific meetings where people reporting
3 things relating --

4 Q. Would that be done on a routine basis?

5 A. I don't know what you mean by routine. It
6 would be done on the basis of importance to what
7 we were -- what the function of the committee was.

8 Q. Was it anyone's responsibility at
9 Hill and Knowlton to review the medical literature
10 as it came in to see whether or not any particular
11 article was pertinent to the issue of cigarette
12 smoking and health?

13 A. Yes.

14 Q. Whose responsibility was that?

15 A. Well, mine -- it was included with me and
16 Leonard Zahn and others who worked with us. We
17 kept -- I told you, we kept up with the literature
18 relating to this.

19 Q. And would you send some type of
20 memorandum to members of the Scientific Advisory
21 Board pertinent to that review?

22 A. I think we did, not a dated publication, but
23 a regular review of papers, of material. We'd
24 summarize them and distribute them to people
25 interested including the Scientific Advisory Board

C. G. Thompson

1 to keep them up with what was going on.

2 Q. Did you attend meetings of the TIRC?

3 A. Yes.

4 Q. And what was your function during the
5 course of those meetings?

6 A. Well, to provide them with information they
7 needed and to hear what they were going onto
8 receive instructions from them.

9 Q. Did you attend meetings of the
10 Scientific Advisory Board?

11 A. Yes.

12 Q. And what was your reason for
13 attending those meetings?

14 A. Same thing, know what was going on, to tell
15 them what we knew that was going on, to keep
16 current with information that might be relevant to
17 whatever public would be interested. But to know
18 what was going on, that was part of the function
19 of the TIRC, was to report what they were deciding
20 to support in the way of research.

21 Q. Why was that one of its functions?
22 Why did it report what grants they were issuing?

23 A. So the people would know it.

24 Q. What people?

25 A. Scientists as well as the public.

C. G. Thompson

1 Q. What interest did the public have in
2 finding out what grants the TIRC was awarding?

3 A. I don't know.

4 Q. From a public relations perspective
5 was there a reason why the TIRC was interested in
6 disseminating to the public the fact that it was
7 spending X amount of dollars on research each year?

8 A. Yes.

9 Q. What was that, sir?

10 A. The industry wanted the public and its
11 customers and everybody else to know that it was
12 interested in the problem and was doing something
13 about it which is true of any organization of that
14 type. And it was, it made it very clear that it
15 was interested in supporting research on these --
16 into this problem.

17 Q. Was part of the TIRC's function to
18 disseminate the findings of these studies which
19 they were funding?

20 A. Yes, insofar as they were allowed to by the
21 guy doing it, the recipient of the research money,
22 was on his own.

23 Q. Well, were there occasions when the
24 TIRC would prepare press releases or set up press
25 conferences pertinent to a particular study which

C. G. Thompson

1 had been funded by the TIRC?

2 A. Yes.

3 Q. And would those press releases be
4 pertinent to studies which found that there was a
5 link between cigarette smoking and lung cancer?

6 A. They would be pertinent to whatever the
7 study was. I can't tell you what the studies were
8 because they were all over the place.

9 Q. Was there a -- didn't all of the
10 studies pertain to the issue of cigarette smoking
11 and health?

12 A. Not necessarily. It pertained to the issues
13 of health that were involved.

14 Q. What do you mean by that, sir?

15 A. Well, the question of respiratory ailments,
16 cardiovascular ailments, anything else that was
17 relevant to the health of the people at the time.
18 Didn't necessarily relate directly to the use of
19 tobacco. It related to the health problems.

20 Q. I'm a little unclear, in other words
21 they were funding studies that didn't directly
22 deal with the issue of cigarette smoking and
23 health; is that correct?

24 A. I believe so.

25 Q. Did the TIRC disseminate that

C. G. Thompson

1 information to the public, that part of the moneys
2 which were being expended on studies were for
3 studies that did not specifically deal with the
4 issue of cigarette smoking and health?

5 A. It reported what the Scientific Advisory
6 Board made in grants to independent researchers.
7 And whatever that happened to be, that was what
8 was reported.

9 Q. From a public relations perspective,
10 sir, didn't the TIRC attempt to convey to the
11 public that the tobacco industry was interested in
12 the issue of cigarette smoking and health? Am I
13 correct?

14 A. Well, yes, that's what it was formed for.

15 Q. And the TIRC would inform the public
16 periodically through the press that they were
17 spending X amount of dollars aggregately on
18 research dealing with cigarette smoking and health,
19 correct?

20 A. Well, when you say periodically, that isn't
21 quite correct. When there was something -- when
22 more money was raised or there were grants made,
23 that was announced.

24 Q. Well, periodically or on an annual
25 basis or a semi-annual basis wasn't there a press

C. G. Thompson

1 release --

2 A. As I recall there was always an annual
3 report.

4 Q. And in that annual report didn't the
5 TIRC tell the public that they spent X amount of
6 million dollars this year on studies?

7 A. Of course.

8 Q. And did they also at the same time
9 attempt to convey to the public that those studies
10 which were being funded dealt with the issue of
11 cigarette smoking and health?

12 A. Yes.

13 Q. Why was that, sir?

14 A. Because that's what they were -- that's what
15 they dealt with.

16 Q. Did the TIRC at any time publicize
17 studies or research that it did not fund pertinent
18 to the issue of cigarette smoking and health?

19 A. I really can't answer you. It may have, it
20 may not have.

21 Q. Part of the TIRC's function, sir, was
22 to inform the public of studies that showed that
23 the issue of cigarette smoking and lung cancer,
24 for instance, had not been decided, that there
25 were still questions concerning the causal

C. G. Thompson

1 relationship between cigarette smoking and health;
2 isn't that right?

3 A. Ask me that again. I didn't quite --

4 Q. Sure. Part of the TIRC's function
5 was to tell the public that the question as to
6 whether or not cigarette smoking caused lung
7 cancer was still an open one. Isn't that correct?

8 A. Only insofar as studies showed that. I mean
9 if scientific reports indicated that, then they
10 were reported.

11 Q. And the TIRC would report through the
12 news media about those studies which tended to
13 question the causal relationship between cigarette
14 smoking and health, isn't that correct?

15 MR. HARDY: I object to the form of
16 the question. I'm going to start doing that if
17 you are going to keep leading, Marc. I don't
18 think it's been established you can lead this
19 witness. The leading is suggestive and I object
20 to the form.

21 Q. Sir?

22 THE WITNESS: What was --

23 MR. CUNNINGHAM: You can answer that.

24 MR. EDELL: He can answer that unless
25 you are instructing him not to answer. Objection

C. G. Thompson

1 to form is certainly not a direction for him not
2 to answer.

3 MR. CUNNINGHAM: I don't think he
4 understands your question.

5 MR. EDELL: Could you read it back,
6 please?

7 A. I think I understand the question. My
8 answer is what I said to you before, we reported
9 on research that was being carried on under the
10 TIRC no matter what it was.

11 Q. Did you also report upon literature
12 that was not being carried on under the TIRC?

13 A. As I told you, I answered that, that I don't
14 recall whether we did or not. But we did not
15 unless the scientists asked us to help them for
16 some reason. That was not our function.

17 Q. Did you have any type of routine with
18 respect to maintaining documents when you were the
19 account executive of TIRC?

20 A. I don't know what you mean by that. We had
21 a file system and we discussed that a while ago.
22 We kept files on research relevant to what was
23 going on.

24 Q. Did you maintain copies of memoranda
25 that you prepared?

C. G. Thompson

1 A. Well, I suppose they did. I didn't.
2 Somebody probably put them in a file someplace.

3 Q. What did you do with yours, your
4 secretary filed them? Did you have a secretary,
5 sir?

6 A. I don't know whether she filed them or not
7 but she was responsible for it, whatever was to be
8 done.

9 Q. Well, did you ever find out whether
10 she threw them away or whether you went back to
11 try to find a memo and it was there?

12 A. The normal filing I think was done. I
13 didn't do it.

14 Q. In some of the documents that I have
15 seen there's been a designation PR number and then
16 it would give a number and dash and then the year.
17 Are you familiar with that?

18 A. What do you mean?

19 Q. I'll get you an example of it, all
20 right?

21 (CT-1 marked for identification.)

22 Q. Mr. Thompson, I'm going to show you a
23 document marked as CT-1 for identification under
24 today's date. It's entitled draft. It's dated
25 September 22, 1958. It's addressed to James P.

C. G. Thompson

1 Richards from Hill and Knowlton, public relations
2 counsel, 150 East 42nd Street, New York, 17 New
3 York. I'm showing you this right now, sir, just
4 to show you the number that I was referring to
5 previously. It's in the right-hand side, upper
6 corner, says PR No. 28-58.

7 A. All right, what's your question?

8 Q. What significance if any, sir, is
9 that number?

10 A. I honestly cannot tell you. I can tell you
11 what I believe. We did PR memos and if we did --
12 this may have been the 28th memo of Richards in
13 1958. That's all.

14 Q. That's what I wanted to find out.

15 A. That's what I assume it is but I'm saying I
16 assume it.

17 Q. Did you have a practice to do that on
18 memoranda that you prepared, sir?

19 A. We keep track of what we did, yes.

20 Q. I understand you keep track but did
21 you do that through this mechanism of numbering
22 these memoranda?

23 A. I don't know. Looking at it I assume we did
24 but I don't know. I don't recall that
25 specifically, that's a routine thing.

C. G. Thompson

1 Q. That's what I'm asking you.

2 MR. VASSALOTTI: Before you get to
3 your next question, I remind the witness of your
4 cautions not to assume or guess. The record in my
5 mind is becoming very blurred with the answers you
6 are getting.

7 Mr. Thompson, if you don't recall,
8 you don't know, tell us.

9 A. All right, I'll just say I don't know.

10 MR. VASSALOTTI: Only tell us that if
11 you don't know. I don't want you to guess.

12 A. You asked about -- however, I do want to say
13 this. You asked something about the TIRC, this is
14 not the TIRC.

15 Q. I understand that, sir, that refers
16 to The Tobacco Institute. The document is what it
17 is. I'm not trying to trick you, it's part of the
18 record. All I want to know is whether there's any
19 significance to the number 28-58?

20 A. I don't know.

21 Q. Was there a routine that was followed
22 at Hill and Knowlton in terms of marking documents
23 in numerical order?

24 A. I don't know.

25 Q. Did you have a practice to do that,

C. G. Thompson

1 sir, at any point in time?

2 A. We keep track of what we did.

3 Q. How did you keep track of what you
4 did?

5 A. Various ways.

6 Q. How did you keep track of what you
7 did?

8 A. In my head.

9 Q. You had no filing system to keep
10 track, is that correct?

11 A. I told you once, we kept things on file that
12 we did. I didn't keep a file.

13 Q. Was there a central filing system,
14 sir?

15 MR. VASSALOTTI: Object to the form
16 of the question.

17 MR. EDELL: What's wrong with the
18 form of the question?

19 MR. VASSALOTTI: I have no idea what
20 you mean by central filing system.

21 Q. You can answer.

22 A. There was a filing system. I was not the
23 filer so I don't know.

24 Q. You don't know anything about that
25 figure system, is that your testimony, sir?

C. G. Thompson

1 A. Yes, it came back to me if I needed anything.
2 It worked.

3 Q. Other than knowing that it worked,
4 you have no idea as to how it worked; is that
5 correct?

6 A. That's correct.

7 Q. How long were you at Hill and
8 Knowlton, sir?

9 A. Twenty-six years.

10 Q. And after being there for 26 years,
11 you have no idea how the filing system worked
12 there; is that correct?

13 A. It worked well.

14 Q. Other than working well, you don't
15 know the mechanics of it; is that correct?

16 A. I think that's correct, I don't know quite
17 what you mean by mechanics. A filing system is a
18 filing system.

19 Q. Well, you can keep files outside next
20 to your secretary and she can maintain it or there
21 could be a file that everybody sends copies of
22 their correspondence or memorandum to which is
23 kept in a central location. You can have a
24 correspondence file, you can have a subject matter
25 file. There are a variety of ways that you can

C. G. Thompson

1 keep a filing system. You are aware of that,
2 aren't you, sir?

3 A. Yes, but I'm not the filer. I was not in
4 charge of the filing system.

5 Q. I understand that, we've already
6 established that. All I want to know is what if
7 anything you know about the mechanics of the
8 filing system at Hill and Knowlton.

9 MR. CUNNINGHAM: Objection, it's been
10 asked and answered.

11 A. I've told you, I don't know about the
12 mechanics of the filing system.

13 Q. If you wanted to get a particular
14 file, if you wanted to get a particular piece of
15 correspondence, a particular memorandum, how would
16 you do it, sir?

17 A. I'd say Sandy, find me that.

18 Q. Sandy who?

19 A. Sandy Dankner, my secretary.

20 Q. Is she still alive?

21 A. Yes.

22 Q. Where does she live?

23 A. Where does she live?

24 Q. Where does she live?

25 A. In [DELETED]

C. G. Thompson

1 Q. Where in New York?

2 A. I don't know.

3 0. New York City?

4 A. No.

5 Q. Sorry?

6 A. Out in Flushing, I think. Long Island.

7 Q. How do you spell her name? Do you
8 remember how to spell her name?

9 A. Yes, I do.

10 Q. Will you tell us?

11 A. No, I don't think so.

12 Q. No, you won't tell me?

13 | A. | No.

14 Q. You should speak with your lawyer,
15 sir.

16 MR. CUNNINGHAM: You can tell him.

17 A. D-a-n-k-n-e-r.

18 Q. How long did she work for you?

19 A. I don't know.

20 Q. More than five years?

21 | A. Yes.

22 Q. More than 10 years?

23 | A. Yes.

24 Q. More than 20 years?

25 A. No, I don't think so. I can't remember when

C. G. Thompson

1 she came with me. She worked with me until I left.

2 Q. Do you know who was in charge of the
3 filing system at Hill and Knowlton?

4 A. No.

5 Q. Do you know who had responsibility
6 for managing the office at Hill and Knowlton? New
7 York?

8 A. What do you mean managing --

9 Q. Was there an office manager to make
10 sure everything ran smoothly, someone who had
11 responsibility at making sure everything worked?

12 A. Yes.

13 Q. Who was that, sir?

14 A. I don't know.

15 Q. Who would know?

16 A. Well, I expect whoever it was changed
17 occasionally.

18 Q. And you don't remember the name of
19 any particular person who had that responsibility?

20 A. Not at this moment, no.

21 Q. Getting back to the time period that
22 you first worked as account executive of TIRC, did
23 you supervise any people during that period of
24 time at Hill and Knowlton?

25 A. Yes.

C. G. Thompson

1 Q. You had people working for you?

2 A. Yes.

3 Q. Who were they?

4 A. I can't tell you. I've told you some of
5 them and there are a number of them. Off and on
6 they were assigned. Sometimes on, sometimes off.
7 I don't have the record but there are a number
8 that worked with me.

9 Q. All right.

10 A. Ken Austin is one. He's dead. Are you
11 talking about any particular time?

12 Q. During the time period you were
13 account executive for TIRC.

14 A. During the 26 years I was at Hill and
15 Knowlton I had a great many people working either
16 directly under me or assigned off and on. I do
17 not remember which ones were at what time doing
18 what except the ones I have told you.

19 Q. How long were you the account
20 executive for the TIRC?

21 A. Until the TIRC became the Council for
22 Tobacco Research and left us.

23 Q. Do you remember when that was, sir?

24 A. No. It was in the fifties I think, late
25 fifties.

C. G. Thompson

1 A. I can't tell you.

2 Q. You don't know?

3 A. I don't know.

4 Q. No one ever told you?

5 A. I guess not.

6 Q. Did you formulate an impression as to
7 why it happened, sir?

8 MR. VASSALOTTI: Object to the form
9 of the question.

10 A. I don't know what the relevance is on all
11 this and I don't know. That's going to be my
12 answer.

13 MR. EDELL: Let's take a break,
14 please.

15 (There is a recess.)

16 (CT-2 marked for identification.)

17 Q. Mr. Thompson, I'm going to show you a
18 document which has been marked as CT-2 for
19 identification. It appears to be the minutes of
20 the Council for Tobacco Research Scientific
21 Advisory Board meeting March 7, 1964 and I direct
22 your attention to Paragraph 2 and see if that
23 refreshes your recollection with respect to when
24 TIRC became CTR.

25 A. Did you say you were showing something --

C. G. Thompson

1 Q. To you.

2 A. No, you said something about does that --

3 Q. Yes, Paragraph 2 on the first page of
4 that document, sir.

5 A. This was 1964?

6 Q. 1964.

7 (CT-3 marked for identification.)

8 A. Now what's your question?

9 Q. Now that you've reviewed Paragraph 2
10 on CT-2 for identification, document refresh your
11 recollection, sir, as to when TIRC became CTR?

12 A. Yes. March 5, 1964.

13 Q. So Hill and Knowlton was on the TIRC
14 account for approximately 10 years, correct?

15 A. I'm not sure whether we suspended operations
16 with them before this or not. I think we did,
17 before they changed the name.

18 Q. I'm going to show you CT-3 for
19 identification which are the minutes of the
20 Tobacco Industry Research Committee, September 21
21 and 22, 1963. It's a confidential report
22 Scientific Advisory Board meeting and it shows you
23 in attendance at that meeting. Maybe that will
24 help jog your memory as to --

25 A. Well, it must have been about this time. My

C. G. Thompson

1 answer to you is I do not remember specifically
2 because I was working with many, many things.

3 Q. Between the time period --

4 A. But obviously this was the period when it
5 happened.

6 Q. Some time after September of 1963,
7 correct?

8 A. Must have been. I don't say it's correct, I
9 merely say it must have been from these documents.

10 Q. Did you receive copies of the minutes
11 of the Scientific Advisory Board meetings, at
12 least those that you attended?

13 A. Yes.

14 Q. Who prepared the minutes of those
15 meetings?

16 A. I don't know.

17 Q. It wasn't Hill and Knowlton personnel,
18 is that correct?

19 A. I don't know.

20 Q. Did you attend meetings of the
21 Scientific Advisory Board from 1955 through 1963?

22 A. Yes, but not necessarily all of them. I
23 attended some, maybe all of them, but I attended
24 them; yes.

25 Q. You don't know whether or not it was

C. G. Thompson

1 Hill and Knowlton who prepared the minutes or
2 whether or not it was somebody at the TIRC?

3 A. I think Mr. Hoyt did but I don't know. No,
4 I don't know.

5 Q. And Mr. Hoyt is deceased -- or no,
6 he's not deceased.

7 A. No.

8 Q. Do you know where he lives?

9 A. No.

10 Q. When is the last time you had any
11 contact with him?

12 A. I don't know.

13 Q. Does your review of these two
14 documents help jog your memory with respect to why
15 Hill and Knowlton discontinued acting as public
16 relations counsel for TIRC, what became CTR?

17 A. No.

18 Q. You told us that you know a Mr.
19 Leonard Zahn, correct?

20 A. Correct.

21 Q. Do you know whether or not at any
22 point in time he acted as public relations counsel
23 for CTR?

24 A. I believe he did.

25 Q. And was that after his association

C. G. Thompson

1 with Hill and Knowlton?

2 A. Yes.

3 Q. Did you at any point in time work on
4 The Tobacco Institute account?

5 A. Yes.

6 Q. And when did you work on that account?

7 A. When The Tobacco Institute was established.

8 Q. And what were your responsibilities
9 insofar as The Tobacco Institute was concerned?

10 A. The usual public relations counseling
11 responsibilities which covers the whole range of
12 activities.

13 Q. Will you please tell me what those --
14 that range is, sir, and what it includes?

15 A. No, I can't. We haven't got time.

16 Q. We do have time.

17 A. We discussed it on the other. It's the same
18 topic, sort of thing.

19 Q. I'd appreciate it if you'd answer my
20 question.

21 A. Keeping the various publics informed and
22 advising The Institute on matters relating to
23 their activities.

24 Q. Keeping the various publics informed
25 about what, sir?

C. G. Thompson

1 A. About what The Tobacco Institute was doing.

2 Q. And what was The Tobacco Institute
3 doing?

4 A. I don't recall its list of objectives but it
5 was -- became, in effect, an association of
6 tobacco-interested groups.

7 Q. What did they do, they didn't fund
8 research, did they?

9 A. No. The Tobacco Industry Research Committee
10 and Council was doing that.

11 Q. Right, so what did they do?

12 A. They took over many of the public
13 information functions that the research committee
14 had been doing.

15 Q. What were those?

16 A. Telling about what the research was.

17 Q. Why did The Tobacco Institute take
18 over that responsibility?

19 A. I don't know.

20 Q. Who is Avery McBee?

21 A. He was an account executive in our
22 Washington office.

23 Q. Is he deceased?

24 A. I don't know. Yes, I think he is.

25 Q. Do you have any documents, sir,

C. G. Thompson

1 pertinent to your employment, the time period of
2 your employment at Hill and Knowlton?

3 A. No. I don't know what you mean by documents
4 pertinent to --

5 Q. Papers.

6 A. I don't think so. Not that I know of. I
7 left all the files with Hill and Knowlton.

8 Q. You didn't take anything with you?

9 A. I can't say I didn't take anything but I
10 didn't take any relevant files.

11 Q. What would you consider to be
12 relevant files?

13 A. The official files.

14 Q. You didn't keep copies of certain
15 documents yourself, your own personal file; is
16 that correct?

17 A. I may have kept some of the literature but I
18 don't know. I have not gone through my junk pile.

19 Q. Did you attend meetings of The
20 Tobacco Institute?

21 A. Yes. But I don't recall many of them.

22 Q. Did you attend those on a routine
23 basis?

24 A. At the beginning I think so.

25 Q. And what was your function in

C. G. Thompson

1 attending these meetings?

2 A. To provide counsel if asked and to know what
3 was going on.

4 Q. What type of counsel did you afford
5 The Tobacco Institute?

6 A. I don't know the answer to that. I don't
7 know what you mean. We discussed what public
8 relations counsel is and that's what we did. We
9 provided information or advice relevant to
10 whatever they were doing.

11 Q. Did you provide advice with respect
12 to what the tobacco industry should or should not
13 do concerning the issue of cigarette smoking and
14 health?

15 A. I suspect we were involved in that but we
16 were mainly -- yes.

17 Q. Wasn't that the focus of the work
18 that was done by Hill and Knowlton for The Tobacco
19 Institute?

20 A. It was part of it.

21 Q. Wasn't the major problem The Tobacco
22 Institute faced the issue of cigarette smoking and
23 health?

24 A. Yes, it was one of them.

25 Q. And how long did you work on The

C. G. Thompson

1 Tobacco Institute account?

2 A. When was The Tobacco Institute formed?

3 Q. I believe it was in 1958.

4 If anybody has another recollection,
5 let me know.

6 A. I can't tell you when we severed our
7 relationship with The Institute but we helped them
8 set up their own staff and eventually withdrew
9 from or separated, I feel there's an amicable
10 separation, I can't remember when it was. I think
11 it was in the seventies, early seventies.

12 Q. Do you recall the reason why Hill and
13 Knowlton discontinued its association with The
14 Tobacco Institute?

15 A. No. I said it was an amicable separation.
16 It wasn't any real problem.

17 Q. Was there an attempt by The Tobacco
18 Institute to internalize the costs that they were
19 spending?

20 A. Probably. We helped them set up a staff
21 within their own organization.

22 Q. So that --

23 A. We assisted them.

24 Q. To the best of your recollection
25 that's the reason why they discontinued the use of

C. G. Thompson

1 Hill and Knowlton?

2 A. After they set up the staff, we still
3 continued as counsel for a time.

4 Q. In the transition period?

5 A. Yes.

6 Q. Do you recall an individual who
7 worked on either -- on the Tobacco Industry
8 Research Council account or The Tobacco Institute
9 account with the initials G.G.?

10 A. No.

11 MR. EDELL: Let's mark this for
12 identification, see if that can help Mr. Thompson
13 out.

14 MR. HARDY: What's the number going to be?

15 MR. EDELL: It's a memorandum of
16 January 17, 1961 for tobacco staff from Carl
17 Thompson.

18 (Document marked CT-4 for
19 identification.)

20 Q. Mr. Thompson, I'm going to show you a
21 document which we marked as CT-4 for
22 identification. It appears to be a memorandum
23 from you. Is that the way you would sign your
24 memorandum, sir?

25 A. Could be.

C. G. Thompson

1 Q. It could not be also. I'm asking you
2 a question. Does it look like the way you sign
3 your memorandum, sir?

4 A. That doesn't look like my T but it still
5 could be because I often scribble it.

6 Q. Do you recognize the handwriting in
7 the upper right-hand corner?

8 A. Here?

9 Q. Yes.

10 A. No.

11 Q. Do you recognize the people whose
12 names or initials appear as receiving carbon
13 copies?

14 A. Everybody except this G.G. and I can't place
15 him.

16 Q. Why don't we run down the list.

17 A. What do you mean?

18 Q. The list of the people who received
19 carbon copies, tell us the names of the people
20 whose initials appear on the document, please.

21 A. Richard W. Darrow; W. T. Hoyt; Leonard S.
22 Zahn; Ed DeHart; G.G. I can't answer; Ken Austin.

23 Q. When was this tobacco staff set up,
24 sir, at Hill and Knowlton? It says memorandum for
25 tobacco staff. Was there a specific group of

C. G. Thompson

1 people who were on the tobacco staff?

2 A. They changed. This is not the tobacco staff
3 exactly but the tobacco staff would be people
4 working with this. It wasn't necessarily any
5 specific number all the same time or people. It
6 just meant people working on the tobacco account.

7 Q. Would the same people work on the
8 TIRC account and the TI account?

9 A. For a time.

10 Q. Well, whoever was working on the
11 tobacco staff at a given point in time, would they
12 be working on both the TI and the TIRC account?

13 A. Not necessarily but they could be.

14 Q. Did you?

15 A. Yes.

16 Q. Who else whose initials appear on
17 that document, CT-4 for identification, worked on
18 both the TIRC and the TI accounts?

19 A. Well, Ed DeHart. Ken Austin.

20 Q. Did I ask you where Mr. Austin is?

21 A. Dead.

22 Q. And Mr. DeHart?

23 A. He's somewhere out in Washington.

24 Q. Is he still working, is he retired?

25 A. I think he's retired, yes.

C. G. Thompson

1 Q. Are you finished with the document?

2 A. Just curious.

3 Q. You can look at it.

4 Do you recall preparing a series of
5 booklets on a state-by-state basis dealing with
6 tobacco?

7 A. Yes.

8 Q. Was that your specific responsibility?

9 A. What do you mean by mine? Yes, I worked on
10 it. I was the account executive and it was done
11 for The Tobacco Institute.

12 Q. Did you actually write it or did you
13 have people underneath you --

14 A. Both.

15 Q. Who worked with you on that? The
16 same people who would be handling the other
17 matters?

18 A. Yes.

19 Q. What was the purpose of preparing
20 those booklets, sir?

21 A. To tell people the role of tobacco in
22 various states including people in those states.

23 Q. What was the reason for that?

24 A. Part of the function of The Tobacco
25 Institute was to inform people of the role of

C. G. Thompson

1 tobacco in their lives and economy.

2 Q. Was there a reason to do that or did
3 they just do that because they felt like doing it?

4 A. Well, there was no specific reason except to
5 inform people in the state there were no real
6 round-ups of the role of tobacco in various states.
7 And there was interest in it. There were tobacco
8 organizations in the states really didn't know it
9 and it was just helpful to them to know what
10 tobacco was in the state and helpful to the people,
11 same reason that you put out information about any
12 occupation or industry.

13 Q. Did the reason that the TI published
14 these booklets deal anything with particular
15 states such as Florida and tobacco deal with
16 either directly or indirectly the health issue of
17 cigarette smoking and lung cancer?

18 A. No, it was more the economic issue.

19 Q. Did The Tobacco Institute ever
20 attempt to convey to the various publics the
21 importance of the -- the economic importance of
22 the tobacco industry in an attempt to influence
23 public opinion concerning legislation dealing with
24 cigarette smoking and health?

25 A. No.

C. G. Thompson

1 MR. HARDY: I'm sorry, could I hear that
2 question back again?

3 (Pending question read.)

4 Q. Sir, do you remember Hill and
5 Knowlton preparing a state-by-state survey of
6 legal provisions and Department of Education
7 Regulations dealing with cigarette smoking and
8 health -- dealing with cigarettes rather?

9 A. I recall something about it but not
10 specifically.

11 MR. EDELL: Would you mark this for
12 identification, please?

13 (CT-5 marked for identification.)

14 Q. I show you CT-5 for identification.
15 It's captioned Tobacco, Alcohol and Narcotics
16 Education in the Public Schools, State-By-State
17 Survey of Legal Provisions, Department of
18 Education Regulations and then it goes on, it's
19 self-explanatory. It appears to be prepared by
20 Hill and Knowlton, Inc., October 1959.

21 MR. HARDY: Could I see that front page for
22 just a minute? Thank you.

23 Q. Does that jog your memory with
24 respect to the preparation of such a report, sir?

25 A. A little bit, yes.

C. G. Thompson

1 Q. In what way does it jog your memory?

2 A. I remember seeing it before.

3 Q. Do you know why it was prepared?

4 A. No, I don't really specifically.

5 Q. Do you have a general understanding
6 as to why it was prepared, sir?

7 A. The type of thing The Institute was
8 interested in.

9 Q. Why was The Tobacco Institute
10 interested in what the educational program was
11 throughout the country dealing with cigarette
12 smoking?

13 A. It was part of its function to know what was
14 in legislative and other regulations. That was
15 part of its function.

16 Q. Part of its function to determine
17 what information children were receiving in
18 schools concerning the issue of cigarette smoking
19 and health?

20 A. Concerning the matters talked about in here,
21 not necessarily cigarette smoking and health.

22 Q. Cigarettes, sir, cigarettes.

23 A. Not necessarily just cigarettes. Tobacco.

24 Q. Tobacco.

25 Well, among the uses of tobacco, did

C. G. Thompson

1 that not include cigarettes, sir?

2 A. Yes.

3 Q. And why was it interested in finding
4 out what was going on in schools concerning
5 tobacco?

6 A. That covers more than tobacco I think you
7 will find.

8 Q. I'm just talking about tobacco, sir.

9 A. I don't know why that was specifically
10 prepared.

11 Q. The question wasn't why was it
12 specifically prepared but why did The Tobacco
13 Institute have an interest in that?

14 A. I told you, because The Institute was
15 interested in all matters relating to tobacco.

16 Q. Did the --

17 A. Legislative and otherwise, regulatory.

18 Q. Did The Institute ever do anything
19 with respect to supplying its own information to
20 schools to be provided in turn to the children in
21 the schools concerning cigarette smoking and
22 health?

23 A. Yes, I think did it.

24 Q. What was the reason that it did that?

25 A. Because it advised children not to take up

C. G. Thompson

1 smoking.

2 Q. Why did it advise children not to
3 take up smoking?

4 A. Because the tobacco industry never promoted
5 smoking among youngsters.

6 Q. Why is that?

7 A. It doesn't believe it should be done.

8 Q. Why?

9 A. I don't know why.

10 Q. You never found out why?

11 A. The only reason I can give you is that the
12 industry is taking the position that smoking is an
13 adult custom.

14 Q. Did you ever work on a public
15 relations campaign dealing with that specific
16 theme?

17 A. I wouldn't call it a campaign. Yes, we
18 dealt with that theme.

19 Q. And in dealing with that theme, no
20 one ever told you why The Tobacco Institute took
21 that position?

22 A. I would say no. We know that the industry
23 has taken the position that smoking is something
24 that adults should make up their mind or use of
25 tobacco, I would say, it should be an adult

C. G. Thompson

1 decision.

2 Q. And no one ever told you why it
3 should be an adult decision?

4 A. No.

5 Q. In order to provide adequate public
6 relations counseling, don't you attempt to find
7 out from your client why it's trying to do
8 something?

9 A. Well sometimes, yes.

10 Q. Isn't that the normal practice in
11 public relations counseling, sir?

12 A. Yes.

13 Q. And you didn't do it in this instance?

14 A. I told you, because it has always considered
15 use of tobacco an adult custom.

16 Q. Does that have anything to do with
17 the potential health hazards associated with
18 cigarettes?

19 A. Not necessarily. It has to do with what
20 children do and what adults do. There are many
21 things.

22 Q. Well, did the issue of cigarette
23 smoking and health in any way play a part in the
24 policy that adults -- that cigarette smoking was
25 an adult habit -- custom, excuse me?

C. G. Thompson

1 A. I can only say that it must have.

2 Q. What facts do you base that on, sir?

3 A. The fact that was a major public relations
4 issue throughout this period.

5 Q. When you first became account
6 executive for TIRC, did you do anything to bring
7 yourself up to speed as to what literature existed
8 concerning the issue of cigarette smoking and
9 health?

10 A. Of course.

11 Q. And how did you do that?

12 A. Read it.

13 Q. Did you prepare any particular
14 document from your readings?

15 A. Not that I remember.

16 Q. Do you remember a document that was
17 referred to as a "white paper" which was prepared
18 back in --

19 A. I remember several papers that we called
20 white papers.

21 Q. Did you ever prepare one?

22 A. Probably.

23 Q. And what was included in that white
24 paper?

25 A. I don't know. You'll have to show me the

C. G. Thompson

1 paper. I worked on many, many, many things.

2 Q. Right.

3 A. I both prepared them and I helped edit them
4 and I helped issue them, not only with tobacco but
5 with many, many other activities and I do not
6 recall specifically when you pull out of thin air
7 did I prepare a white paper.

8 Q. Did you prepare a white paper on the
9 issue of cigarette smoking and health?

10 A. I don't know.

11 Q. Was part of your responsibility as
12 account executive for TIRC to maintain contact
13 with media personnel?

14 A. Yes.

15 Q. And how did you do that?

16 A. Whenever it was desirable or necessary I
17 either called or saw them.

18 Q. Did you set up meetings between media
19 people and representatives of TIRC?

20 A. Yes.

21 Q. Do you recall any particular
22 newspapers or magazines that you did that with?

23 A. No.

24 Q. What was the purpose of maintaining
25 contacts with media personnel?

C. G. Thompson

1 A. Part of public relations counseling is to
2 keep the public informed. One way you do it is
3 through media.

4 Q. After Hill and Knowlton no longer
5 represented The Tobacco Institute, what did you do?

6 A. What did I do?

7 Q. What did you do?

8 A. Many, many things. I can't tell you all of
9 them. I have no intention to.

10 Q. Were you affiliated with any specific
11 section of Hill and Knowlton?

12 A. Yes.

13 Q. The environmental section?

14 A. I established the Department of Environment
15 and Consumer Affairs.

16 Q. And how long did you remain -- is
17 that vice-president of that division?

18 A. Yes.

19 Q. How long did you maintain that
20 position?

21 A. Until I left.

22 Q. And what were the responsibilities of
23 the environmental section?

24 A. To deal with problems relating to
25 environmental problems and consumer problems.

C. G. Thompson

1 Q. During that period of time did you
2 perform any work on an ad hoc basis for the
3 tobacco industry?

4 A. I would have to say I don't know. We
5 maintained liaison with the tobacco industry, with
6 The Tobacco Institute; I believe that after we
7 dissolved with The Tobacco Institute we worked for
8 at least one company for a time.

9 Q. Which company --

10 A. That was primarily in their financial
11 relations and I was not directly involved.

12 Q. Which company was that, sir?

13 A. R. J. Reynolds.

14 Q. From time to time, Hill and Knowlton
15 would prepare a public relations proposal for The
16 Tobacco Institute; is that correct?

17 A. I'm sure we did.

18 Q. Did you play any part in preparing
19 those proposals, sir?

20 A. Yes.

21 Q. And what part did you prepare?

22 A. I either supervised or helped to write them.

23 Q. How were they prepared, sir?

24 A. In writing.

25 Q. Were drafts of those documents sent

C. G. Thompson

1 to members of The Tobacco Institute before they
2 were finally submitted to the board of directors?

3 A. I cannot answer.

4 Q. You don't know?

5 A. They weren't sent to The Institute. The
6 reason I cannot answer, we had what I will call a
7 public relations committee of The Institute which
8 were made up of public relations members of the
9 member companies and we used to meet and discuss
10 the programs. I would say that if we drafted a
11 proposal for The Institute, that we would clear it
12 with the public relations committee.

13 Q. Was that done on a routine basis?

14 A. I don't know what you mean by that.

15 Q. Was it your usual course of business
16 to prepare a draft of the proposals submitted to
17 the public relations committee for their review
18 and comment before you would submit it to the
19 board of directors of The Tobacco Institute?

20 A. I would say yes.

21 Q. Who if anyone did you have contact
22 with from the public relations committee?

23 A. Whoever were members of the committee.

24 Q. There wasn't one individual that you
25 had liaison contact --

C. G. Thompson

1 A. There was usually a chairman of the
2 committee and he would be the main one we'd work
3 through.

4 Q. Did you work with Mr. Bowling?

5 A. Yes.

6 Q. And do you remember how long he was
7 chairman of that committee?

8 A. No.

9 Q. Was part of the purpose of The
10 Tobacco Institute to provide material for meeting
11 anti-tobacco attacks including adverse government
12 proposals?

13 A. Yes.

14 Q. And how was that done, sir?

15 A. In whatever legitimate way we could.

16 Q. What legitimate means did you employ
17 to accomplish that goal?

18 A. Depended upon what it was.

19 Q. Back in 1958, didn't Hill and
20 Knowlton provide proposals for meeting
21 anti-tobacco attacks and adverse government
22 proposals on a general basis and then obviously as
23 things came up, you dealt with them specifically?

24 A. I don't recall it specifically.

25 Q. You don't recall certain public

C. G. Thompson

1 activities that were recommended in anticipation
2 of anti-tobacco attacks and adverse government
3 proposals?

4 A. I don't recall.

5 Q. I'm going to show you a document
6 marked as -- sorry, it's going to be marked as
7 CT-6 for identification. It purports to be public
8 relations proposal for The Tobacco Institute, Inc.
9 from Hill and Knowlton. It's dated March 18, 1958.

10 (Aforementioned document marked CT-6
11 for identification.)

12 Q. I'm going to show you what has been
13 marked as CT-6 for identification, sir. Tell me
14 whether or not you recognize that.

15 A. Yes, I recall it.

16 Q. What is it, sir?

17 A. It's what it says it is.

18 Q. Who prepared that document?

19 A. I don't --

20 Q. Not who physically typed it up.

21 A. I don't know but I had a hand in it.

22 Q. Take a look at the second page of the
23 document. Paragraph D, public activities. Do you
24 see that?

25 A. Yes.

C. G. Thompson

1 Q. Under No. 2 it says magazine ideas
2 and material for discussion with writers and
3 editors interested in tobacco stories. Do you see
4 that?

5 A. Yes.

6 Q. How is that accomplished?

7 A. I don't know that it was.

8 Q. How did The Tobacco Institute attempt
9 to accomplish that?

10 A. I don't know that it was carried out in that
11 exact form but we certainly collected various
12 types of materials and memorandum about tobacco
13 stories.

14 Q. We --

15 A. We worked with editors and writers of
16 tobacco magazines that were often -- various, I
17 can't remember their names, but there were several
18 tobacco magazines that were interested in the
19 stories and we tried to help them.

20 Q. Let's take a look at No. 3.

21 A. All right.

22 Q. It says newspaper feature and column
23 ideas and material for submission to editors and
24 writers. Correct?

25 A. Yes.

C. G. Thompson

1 Q. How was that accomplished?

2 A. I don't know that we did that either. These
3 were proposals, they weren't necessarily carried
4 out.

5 Q. You don't know whether they were
6 adopted or not?

7 A. No, I would say that we did that on occasion
8 but I can't recall any specific thing.

9 Q. How was it done?

10 A. Well, if you had an idea, you'd talk to an
11 editor or writer and we'd give it to him. That
12 simple.

13 Q. Were there particular editors or
14 writers that you dealt with during that period of
15 time?

16 A. Not particular ones, various ones.

17 Q. Do you remember anyone?

18 A. Not offhand.

19 Q. Do you remember any writer that you
20 ever dealt with?

21 MR. VASSALOTTI: You mean in any
22 connection or in connection with what we are
23 talking about here? Could you redefine the
24 question?

25 A. I dealt with many, many writers and I don't

C. G. Thompson

1 know. My answer to you I'm not going to try to
2 drudge up names.

3 Q. That's part of your obligation here
4 is to dredge up names, sir.

5 MR. HARDY: Only if it's relevant, Mr. Edell.

6 A. I don't know what you are talking about. If
7 you tell me something like this, but I can't just
8 dredge up names. I've dealt with writers and
9 everybody -- and all kinds of media. And I'm not
10 going to try to sit down and try to figure out all
11 those names.

12 Q. Sir, do you remember the names of any
13 editors or writers to whom you submitted materials
14 pertinent to the issue of cigarette smoking and
15 health?

16 A. No.

17 Q. Sorry?

18 A. No.

19 Q. Would you give me the courtesy of
20 letting me finish my question, sir, before you
21 give me the response? I try to do that for you
22 and I'd appreciate it if you would reciprocate,
23 okay?

24 A. Have you finished with your question?

25 Q. There is no --

C. G. Thompson

1 A. If you have, it's okay.

2 Q. Thank you.

3 Let's turn to the second page, sir.

4 Under II it indicates that there was an effort to
5 create a better public understanding of the facts
6 regarding tobacco use and health and they listed a
7 number of activities, correct? Am I on the wrong
8 page?

9 A. You said page two.

10 Q. It's T12928.

11 A. On what page? On what page? On what page
12 are you on?

13 Q. Turn the page.

14 A. You told me page two. What page are you on?

15 Q. I thought I said the next page, I'm
16 sorry.

17 A. Page three.

18 Q. Page three.

19 A. Now what is your question?

20 Q. I direct your attention to II. Do
21 you see that? It lists under II a number of
22 activities that were indicated, correct?

23 A. Yes.

24 Q. Then it lists, publicity activities,
25 answering and offsetting anti-tobacco charges.

C. G. Thompson

1 Did The Tobacco Institute adopt that proposal?

2 A. I believe it did.

3 Q. And how was that accomplished?

4 A. Depending upon the situation.

5 Q. Let's take a look at subpart D,
6 scientific meetings. Do you see that?

7 A. Yes.

8 Q. How was that accomplished?

9 A. I don't know that it was.

10 Q. Let's take a look at F, media
11 contacts. Continuing to arrange top-level media
12 contacts for scientific industry spokesman. Was
13 that done, sir?

14 A. To some extent.

15 Q. Whose responsibility was that?

16 A. Probably ours mainly but they had their own
17 people doing some of it.

18 Q. Who was doing it for them back in
19 1958?

20 A. In 1958 I don't know that anybody was doing
21 it for them.

22 Q. Was it part of your responsibility to
23 maintain these media contacts?

24 A. Yes.

25 Q. Anyone else at Hill and Knowlton

C. G. Thompson

1 during that relevant time period?

2 A. Yes.

3 Q. Who else, sir?

4 A. We had a publicity division, many people
5 were involved.

6 Q. Who was in charge of the publicity
7 division?

8 A. I believe at that time, I don't know, but I
9 believe Roy Battersby.

10 Q. Is he alive?

11 A. No.

12 Q. Do you recall anybody who worked with
13 him that might be alive?

14 A. No.

15 Q. Subpart G, says scientific contacts,
16 maintaining two-way communication with science
17 writers, scientific and medical journals and
18 scientific and medical organizations. How was
19 that accomplished, sir?

20 A. By maintaining contact with them.

21 Q. Whose responsibility was that?

22 A. Several of us, several members, several of
23 us were members of the -- I think it's the
24 American Science Writers Association. I still am.
25 The AAAS, whatever that is, an American

C. G. Thompson

1 Association for Advancement of Science. We just
2 maintained contact and communication.

3 Q. Did you ever attempt to have any of
4 these writers prepare articles or other
5 publications pertinent to the issue of cigarette
6 smoking and health?

7 A. Not that I recall. We helped them if they
8 were working on it.

9 Q. In other words if they solicited your
10 help or did you --

11 A. If we knew they were working on it, we often
12 went to them and asked if we could help.

13 Q. How did you find out if they were
14 working on it or not?

15 A. Many ways.

16 Q. Tell me the ways.

17 A. I don't know. It would depend. Maybe a
18 scientist would tell us that he was being
19 interviewed by them. I don't know how we found it
20 out. There were many ways to find out things like
21 this. They may talk about it with you. We didn't
22 have any particular formula for it.

23 Q. Would there be a practice to keep in
24 contact with certain publications or publishing
25 companies to find out whether or not they were in

C. G. Thompson

1 the process of preparing a publication dealing
2 with cigarette smoking and health?

3 A. Not specifically that. We kept in contact
4 with the writers, with these people through our
5 membership in organizations and meeting them at
6 meetings and things like that. Just maintain
7 communication.

8 Q. I don't have the document in front of
9 me so you are going to have to take a look at the
10 page that's been marked as 12931. Do you see the
11 marking in the lower right-hand corner, sir?

12 A. Yes.

13 Q. Under special projects?

14 A. Yes.

15 Q. It says A, smoking among oldsters.
16 Do you see that?

17 A. Yes.

18 Q. Why was The Tobacco Institute
19 interested in preparing a special project dealing
20 with smoking among oldsters?

21 A. To show that use of tobacco didn't
22 necessarily kill you.

23 Q. Did you consult with anybody at the
24 TIRC to see the validity of that type of project
25 insofar as it showing that cigarette smoking was

C. G. Thompson

1 not a potential health hazard?

2 A. No, because I don't think we carried out
3 these projects. It says these could include.

4 Q. How would one find out whether or not
5 it was accomplished?

6 A. I don't know.

7 Q. There's a project B, says false
8 health scarce involving other commonly used items
9 could be researched for story possibilities. Do
10 you see that?

11 A. Yes.

12 Q. What was the purpose of that
13 suggestion?

14 A. It says could be researched.

15 Q. I understand that but what was the
16 purpose of that suggestion, sir?

17 A. I don't know.

18 Q. You don't have any ideas as you look
19 at that?

20 MR. HARDY: You are asking the
21 witness to guess now. I object to the form.

22 MR. VASSALOTTI: He's already said he
23 doesn't know.

24 Q. Let's take a look at No. C, sir.

25 A. All right.

C. G. Thompson

1 Q. Do you know whether or not that was
2 ever done?

3 A. I don't recall it ever being done.

4 Q. Do you recall the purpose for which
5 that was proposed?

6 A. Only by reading it. To show that tobacco
7 could bring pleasure to many people.

8 Q. Including famous smokers?

9 A. Including them.

10 Q. Why would you use famous smokers?

11 A. Because people might be interested in them.

12 Q. Why?

13 A. Why are people interested in famous people?

14 Q. I don't know.

15 A. I don't either.

16 Q. It's not from a public relations
17 perspective, sir, is there any reason why you
18 would use famous people?

19 A. I said because people were interested in
20 famous people.

21 Q. From a public relations perspective,
22 do people put more credence in what famous people
23 say and do?

24 A. I don't know. I don't know what people do.

25 Q. You never had an opinion in that

C. G. Thompson

1 regard, sir?

2 A. I've got many opinions.

3 Q. I'm asking for your opinion in that
4 regard.

5 A. I don't express opinions, I'm trying to
6 express facts.

7 MR. HARDY: Objection.

8 Q. I'm asking for your opinion in that
9 regard, sir.

10 A. My opinion is from reading the newspapers,
11 people are interested in what people they know
12 about are doing. They even read about President
13 Reagan.

14 Q. The question was in your opinion, do
15 people put more credence in those things that
16 famous people do and say?

17 A. I don't know that people do.

18 Q. I asked you for your opinion.

19 A. I said I don't know.

20 Q. You don't have an opinion, is that
21 correct, sir?

22 A. That's correct.

23 Q. After these proposals were submitted
24 to the board of directors, what happened next, sir?

25 A. I have no idea. I don't know when they were

C. G. Thompson

1 submitted even.

2 Q. Was there a routine to -- practice to
3 send them to the board of directors and then
4 discuss them at meetings?

5 A. I don't know that this was even sent. I
6 don't know what happened to this.

7 Q. How would you know whether it was
8 sent or not?

9 A. The files would show it probably.

10 Q. What files would show it?

11 A. Somebody's files, The Institute's files
12 might, our files might.

13 Q. After Hill and Knowlton discontinued
14 acting as public relations counsel for The Tobacco
15 Institute, what if anything did they do with their
16 files?

17 A. I don't know.

18 Q. You don't know whether they were
19 turned over to The Institute?

20 A. I don't know.

21 MR. HARDY: Marc, I'd like to break
22 for lunch pretty soon. It doesn't have to be this
23 moment. I don't want to interrupt the process you
24 are on but I just wanted to put you on notice.
25 I'm beginning to growl.

C. G. Thompson

1 MR. EDELL: Fine. Let's break for
2 lunch.

3 (Whereupon a luncheon recess was
4 taken.)

5 (CT-7 marked for identification.)

6 (CT-8 marked for identification.)

7
8 A F T E R N O O N S E S S I O N
9

10 Q. Mr. Thompson, I'm going to show you
11 what we have marked as CT-7 for identification.
12 It appears to be a memo from Robert K. Heimann to
13 James Bowling regarding the first meeting of the
14 Subcommittee on Communications, Wednesday, June 1,
15 1960. It's dated June 3, did I tell you, 1960.
16 The third page indicates that you were present at
17 that meeting. Take a look at the first page,
18 you'll see under Paragraph 3 a reference to a
19 white paper. See if that refreshes your
20 recollection with respect to your participation
21 and preparation of a white paper dealing with the
22 issue of cigarette smoking and health.

23 A. Which one did you say?

24 MR. CUNNINGHAM: Three.

25 Q. The third numbered paragraph, No. 3.

C. G. Thompson

1 A. Now what did you ask me? I remember there
2 was discussion of this but I don't know whether it
3 was ever issued.

4 Q. Do you remember there had been a
5 prior white paper that had been prepared some time
6 around 1954?

7 A. Yes, there was called the scientific
8 perspective and it's wrapping up a lot of the
9 research.

10 Q. Do you know whether or not a
11 subsequent document was prepared?

12 A. I don't remember.

13 Q. Before I go any further, did you
14 receive a copy of this document, sir?

15 A. Oh, I'm sure I did.

16 Q. That was the normal --

17 A. I mean I got so damn many but I have no
18 question but I got it.

19 Q. That's the format in which these
20 minutes were prepared?

21 A. Well, basically, yes.

22 Q. Do you --

23 A. I don't remember that either but we usually
24 had reports.

25 Q. What was the purpose of that

C. G. Thompson

1 subcommittee, the subcommittee on communication?

2 A. It was the -- part of the operation of the
3 public relations committee of The Tobacco
4 Institute. Communication, I mean public relations
5 committee had many functions and this was to keep
6 up communications. Pretty much what is discussed
7 in this.

8 Q. Do you recall that the TIRC had a
9 great amount of difficulty in getting people to
10 act as members of the Scientific Advisory Board?

11 A. I don't recall that they did. There may
12 have been some who were asked who didn't, but they
13 had -- the membership of the board was a very
14 sound membership and they were scientists widely
15 recognized as sound and outstanding scientists in
16 their various fields.

17 Q. How do you know that, sir?

18 A. What?

19 Q. How do you know that?

20 A. Well, how does one know anything about
21 people, because they were -- I mean Clarence Cook
22 Little was president of the University of Michigan,
23 the president of the University of Maine, the
24 founder of the Roscoe B. Jackson Laboratory and
25 developed experimental mice -- I mean how do you

C. G. Thompson

1 A. Not that I know of.

2 Q. Can you tell us what CT-8 for
3 identification is, sir?

4 MR. HARDY: Can we have it described?

5 MR. EDELL: It is the proposal of
6 Hill and Knowlton to the tobacco industry, I
7 believe it's June 18, 1959.

8 A. What was your question?

9 Q. I asked you to tell us what that
10 document is, sir.

11 A. It's a proposal for the tobacco industry.
12 That's all I know.

13 Q. Did you help prepare that document?

14 A. I don't know. I assume I did but I don't
15 know.

16 Q. Is it part of your responsibility as
17 an account executive to prepare such documents?

18 A. Yes, yes.

19 Q. Will you please take a look at I
20 believe it's page two and see whether or not it
21 refreshes your recollection as to whether or not
22 the TIRC had difficulty in enlisting people to act
23 as members of the Scientific Advisory Board.

24 A. It said it was a challenge. It doesn't say
25 it was difficult.

C. G. Thompson

1 Q. Why was it a challenge, do you know?

2 A. I'm just reading what's here.

3 Q. I know that.

4 A. I don't know.

5 Q. I didn't prepare it and you said that
6 you probably had participation in the preparation
7 of the document.

8 A. I don't know what you are referring to.

9 Q. That proposal that you have before
10 you, sir, that was to The Tobacco Institute, was
11 it not?

12 A. I cannot answer you offhand.

13 Q. You cannot answer me?

14 A. No. It is obviously dealing with matters
15 for The Tobacco Institute but it may have been for
16 discussion internally. I don't know. It doesn't
17 show any transmittal.

18 Q. Would it have been prepared, sir, for
19 the TIRC?

20 A. No.

21 MR. EDELL: I'd like to have the same
22 copy but has the transmittal letter on top so
23 maybe it will help you out.

24 (CT-9 marked for identification.)

25 Q. I'm going to show you a document

C. G. Thompson

1 marked as CT-9 for identification and its
2 attachments. See if that refreshes your
3 recollection for the purpose for which that
4 document was prepared, sir.

5 A. Now what's your question?

6 Q. See if it refreshes your recollection
7 as to the purpose for which CT-8 was prepared.

8 A. I still can't answer you. I can only say
9 that they are relevant but it probably is. I'm
10 not going to say yes because I don't remember
11 specifically whether that and this are directly
12 connected or not. Looking at them you can see
13 that they are related, in fact, somewhat
14 duplicated.

15 Q. That's why I gave you the other one,
16 only because it had a cover letter on it. I
17 thought that would make it easier.

18 A. This one.

19 Q. Yes. We can just deal with that
20 document, that referring to CT-9 which has the
21 cover letter. Can you tell me for what purpose
22 the attached proposal was made?

23 A. Yes.

24 Q. For what purpose, sir?

25 A. As a guide for the public relations

C. G. Thompson

1 discussion of the Executive Committee meeting of
2 The Tobacco Institute, for them to decide what
3 they wanted to do.

4 Q. You see on the second page of the
5 proposal, it says on the bottom, it starts "The
6 industry position is stronger today"?

7 A. Yes.

8 Q. "Research and public attention to it
9 have gradually forced the recognition that the
10 cigarette theory of lung cancer causation is not
11 established scientifically and in any case would
12 not provide the whole answer to the apparent
13 recent increase of this cause of death." Do you
14 see that?

15 A. Yes.

16 Q. What is the factual basis for that
17 statement, sir?

18 A. I don't know specifically. It says research
19 and public attention to it and I suppose the
20 research has done it.

21 Q. Part of the responsibility of Hill
22 and Knowlton was to get public attention for the
23 research being conducted by the TIRC, correct?

24 A. Yes.

25 Q. So that suggests that Hill and

C. G. Thompson

1 Knowlton was accomplishing that task, correct?

2 A. Not necessarily because the TIRC was not
3 necessarily pro or anti the cigarette smoking
4 theory. TIRC was conducting independent,
5 impartial research or supporting it I should say.

6 Q. Is it your testimony that the TIRC
7 did not take a position one way or another
8 concerning the issue of cigarette smoking and
9 health?

10 A. I won't say that they didn't take a position.
11 Their position was that there needed to be
12 research done. That's why they were doing it.

13 Q. And did they have -- did they make
14 any statements with respect to why additional
15 research had to be done?

16 A. I'm sure they did, I don't have it in front
17 of me so I can't say yes or no really.

18 Q. Wasn't one of the responsibilities of
19 Dr. Clarence Cook Little to speak on behalf of the
20 TIRC?

21 A. On behalf of the research that he was -- SAB
22 was doing.

23 Q. He didn't do any research, did he,
24 not during his tenure with TIRC?

25 A. I don't think he received any grants but he

C. G. Thompson

1 Knowlton at the request of the TIRC or The Tobacco
2 Institute for Dr. Little to speak with members of
3 the media?

4 A. Not The Tobacco Institute, The Tobacco
5 Institute had nothing to do with Dr. Little.

6 Q. And The Tobacco Institute had nothing
7 to do with the TIRC, correct?

8 A. Well, they were duplicated memberships in
9 some cases.

10 Q. I think if you turn to page three of
11 the document we are discussing, you'll see where
12 it says under Paragraph 5, "Major threats from
13 various health groups, including federal, state
14 and even the American Cancer Society have been
15 eased, averted or postponed." Do you see that?

16 A. Yes.

17 Q. Who was responsible for either easing,
18 averting or postponing these major threats?

19 A. I assume the people within those groups.

20 Q. You mean the tobacco industry had
21 nothing to do with that, is that correct?

22 A. They could not tell these groups what to do.
23 The tobacco industry testified before federal
24 agencies and congressional committees at one time
25 or another. There may have been some influence on

C. G. Thompson

1 the state and federal agencies by their testimony.

2 I cannot answer what --

3 Q. Are you telling us, sir, the
4 reference in Paragraph 5 here to the fact that
5 major threats from various health groups including
6 federal, state and even the American Cancer
7 Society have been eased, averted or postponed had
8 nothing to do with efforts on behalf of the
9 tobacco industry?

10 A. No. I said we testified -- the group
11 testified before federal and state agencies and
12 legislative groups.

13 Q. What if any action did the tobacco
14 industry take with respect to the American Cancer
15 Society's efforts to enlist all health agencies in
16 an attack on smoking?

17 A. So far as I know, nothing.

18 Q. What if anything did the tobacco
19 industry have to do with the July 1957 surgeon
20 general statements on smoking?

21 A. Nothing that I know of.

22 Q. And what if anything did they have to
23 do with the failure of the Seventh International
24 Cancer Congress in July of 1958 to adopt the
25 suggested stand on tobacco?

C. G. Thompson

1 A. Nothing that I know of.

2 Q. Why are all these things included in
3 here?

4 A. Because they are listing what some of the
5 things that happened, that's all. It doesn't say --
6 it doesn't -- even imply that the industry had
7 anything to do with it. It merely says they
8 happened.

9 Q. No. 6, "Numerous publicity attacks
10 being prepared for various media have either been
11 tempered or avoided." Does that have anything to
12 do with the tobacco industry exerting influence to
13 have the media attacks tempered or avoided?

14 A. It has to do probably with the tobacco
15 industry providing information to them.

16 Q. So that refers to actions on behalf
17 of the tobacco industry, does it not, sir?

18 A. Not necessarily. You asked me a question, I
19 didn't say that that was the only thing. I said
20 that the industry provided information to these
21 things, to these media.

22 Q. Well, who, other than the industry,
23 did something to temper or avoid the publicity
24 attacks that are referred to in Paragraph 6?

25 A. Very often the scientists that they talked

C. G. Thompson

1 A. I don't remember that.

2 Q. Page five, "Numerous other proposed
3 magazine or freelance articles were either
4 discouraged or put into perspective." Who
5 discouraged or put these various proposed magazine
6 or freelance articles into factual perspective?

7 A. Since I don't know what they were, I can't
8 answer you specifically because I don't know.
9 Whenever anybody was working on a magazine or
10 article and came to us, we tried to provide
11 factual information.

12 Q. Did you ever try to discourage people
13 from writing?

14 A. No.

15 Q. So you have no idea what the -- what
16 the use of the term discouraged has in this
17 sentence; is that correct?

18 A. It means that the writer could be
19 discouraged from trying to put together a piece
20 that doesn't come out what he wants after he
21 learns all the facts.

22 Q. I'm sorry?

23 A. A writer might be discouraged from going
24 ahead with the piece when he learns all the facts
25 that doesn't come out the way he wants it.

C. G. Thompson

1 Q. I see.

2 A. I have that myself.

3 Q. Let's take a look at the next
4 paragraph. It says "Much countering attention
5 through newspapers, radio and books have been
6 encouraged and disseminated." Who did that?

7 A. We assisted in it.

8 Q. Do you know what the document refers
9 to when it lists Leonard Engel's piece in Harper's?

10 A. Not specifically. I knew Leonard Engel. I
11 don't know what that's talking about.

12 Q. How did you know Leonard Engel?

13 A. I don't know. How do I know you? I mean I
14 don't know how I knew Leonard Engel, I knew a lot
15 of writers all over the place. I was in the media
16 myself.

17 Q. Did Mr. Engel write anything that
18 dealt with cigarette smoking and health?

19 A. Apparently he did there.

20 Q. Did you provide him with any
21 information?

22 A. I assume that we did but I don't know. I
23 don't have the information in front of me.

24 Q. Dr. Little prepared an article in
25 Atlantic Monthly?

C. G. Thompson

1 A. That's correct.

2 Q. Do you remember that?

3 A. No.

4 Q. Was that a pro cigarette article or
5 an anti cigarette article?

6 A. I would say it was an article about the
7 research that was going on.

8 Q. The issue of cigarette smoking and
9 health hadn't been resolved, correct?

10 A. I don't know, I don't recall the piece. I
11 imagine the piece is available.

12 Q. Are you familiar with Ostrow's book
13 "Why Stop Smoking?"

14 A. Yes.

15 Q. What is that, sir?

16 A. It was a book that went into all sorts of
17 things. Again, I have read a lot of books, I
18 don't remember everything about it.

19 Q. Who is Ostrow other than maybe a
20 writer?

21 A. That's all the information I know.

22 Q. You didn't supply any information?

23 A. I didn't say that. I said he's a writer, he
24 wrote this book. I think his name is Leonard. No,
25 that's Leonard Engel.

C. G. Thompson

1 Q. What about the next one, Northrup's
2 "Science Looks at Smoking"?

3 A. I remember Eric Northrup and I'm sure he
4 came to us and we provided him with whatever
5 information he desired.

6 Q. Was that a favorable article to
7 cigarettes?

8 A. My recollection is it was an examination, it
9 was exactly what it says it is, Science Looks at
10 Smoking, the research that was going on. It
11 covered all angles of it. Eric Northrup was a
12 science writer.

13 Q. The Pagent article by Dr. Rienhoff,
14 who is Dr. Rienhoff?

15 A. He's a member of the Scientific Advisory
16 Board. It's Rienhoff.

17 Q. Rienhoff, excuse me.

18 A. It's all right.

19 Q. Did you supply any information to Dr.
20 Rienhoff?

21 A. I don't recall that piece at all. I'm glad
22 to know he did it..

23 Q. Did Hill and Knowlton do anything to
24 obtain newspaper and magazine attention to the
25 articles of Dr. Berkson and Sir Ronald Fisher?

C. G. Thompson

1 A. I don't recall. I would only say that would
2 be part of our function to do so. There's no
3 reason we shouldn't have.

4 Q. Did Hill and Knowlton ever draw to
5 the public's attention articles that suggested a
6 causal relationship between cigarette smoking and
7 health?

8 A. We drew to the public attention the
9 scientific research that was going on.

10 Q. All of it, sir?

11 A. Not all of it. There was much more than we
12 could cover.

13 Q. Tell us about the publication Tobacco
14 and Health Research. Are you familiar with that
15 publication?

16 A. Yes, I helped put it out.

17 Q. What was that?

18 A. Discussing the scientific research going on.

19 Q. That presented an unbiased analysis
20 of the research for its readers, is that correct?

21 A. I can't say that I consider anything that's
22 written by anybody as unbiased.

23 Q. Well, was it selective in the
24 material it included --

25 A. It had to do --

C. G. Thompson

1 Q. Let me finish, please. Thank you.
2 It just makes this young lady's life very
3 difficult for her to try to record what's going on,
4 sir.

5 Did the publication Tobacco and
6 Health Research include both articles dealing with
7 research which suggested that cigarette smoking
8 did cause cancer as well as articles which
9 suggested that the causal relationship between
10 cigarette smoking and cancer had not been
11 established?

12 A. I would have to look through the
13 publications, I don't remember all the articles.

14 Q. But there was no policy to exclude
15 articles that came to the conclusion that
16 cigarette smoking caused disease in human beings,
17 is that correct?

18 A. Not that I know of.

19 (CT-10 marked for identification.)

20 Q. Mr. Thompson, I'm going to show you a
21 document which was prepared by Carl Thompson on
22 October 18, 1968 directed to William Kloepfer.
23 You know him, sir?

24 A. Yes.

25 Q. Yes?

C. G. Thompson

1 A. Yes.

2 Q. At The Tobacco Institute, subject,
3 Tobacco and Health Research procedural memo. Do
4 you recall preparing a document for Mr. Kloepper?

5 A. No, because I prepared many things for him.

6 Q. I'm going to show you the document,
7 sir, and ask you --

8 MR. HARDY: Is it CT-10?

9 MR. EDELL: Yes.

10 Q. -- CT-10 for identification. Will
11 you tell us whether or not you prepared that
12 document?

13 A. I can't tell you whether I prepared it, I
14 can only tell you it was prepared obviously under
15 my direction if I didn't do it. I doubt if I did
16 the whole thing and I approved it or I wouldn't
17 have signed it.

18 Q. What was the purpose of preparing
19 that document, sir?

20 A. I think it's stated in the first paragraph,
21 as requested. The first paragraph says, in the
22 memo to William Kloepper, says here as requested
23 is a memo.

24 Q. Is the document correct, sir, where
25 it says most papers used in the Tobacco and Health

C. G. Thompson

1 Research publication comes from the Council for
2 Tobacco Research library?

3 A. I assume it was at the time.

4 Q. And Ken Austin --

5 A. Yes.

6 Q. -- that was the same Ken Austin that
7 worked for Hill and Knowlton?

8 A. Yes.

9 Q. He is employed in 1968 by CTR, is
10 that correct?

11 A. I don't remember.

12 Q. That's what the document shows though,
13 doesn't it?

14 A. Yes.

15 Q. Do you have any reason to disbelieve
16 that?

17 A. No.

18 Q. Would you take a look at the document
19 and tell me whether or not you perceive any errors
20 in that document?

21 A. I can't do that from just taking a look at
22 it.

23 Q. I want you to read it, sir.

24 MR. CUNNINGHAM: Take your time.

25 MR. HARDY: Can I read over your

C. G. Thompson

1 TIRC for a time.

2 Q. So that would have been some time
3 before 1958, correct?

4 A. Yes.

5 Q. Sir, why for the purposes of the
6 Tobacco and Health Research publication was it
7 that the most important type of story was that
8 which casts doubt on the cause and effect theory
9 of disease and smoking?

10 A. Because the other theories were getting
11 their own publicity and this was meant to balance
12 it. But you will notice it also says that
13 anything in research relating to the smoking as a
14 cause of cancer should be included.

15 Q. I'm sorry, I must have missed that.
16 Where is that, sir?

17 A. "Important, if the paper contains any
18 conclusions or findings unfavorable to tobacco,
19 these are reported scrupulously."

20 Q. Correct, in other words you don't
21 take things out of context?

22 A. Correct.

23 Q. It doesn't mean publish everything
24 that deals with cigarette smoking and health,
25 correct?

C. G. Thompson

1 not entitled to find anything out about the
2 lawyers.

3 MR. EDELL: Okay.

4 MR. HARDY: So I just want to be sure
5 I understand your question. Are you asking
6 whether it was submitted for a legal purpose to
7 the lawyers or not?

8 Q. Do you know why it was submitted to
9 the lawyers, sir?

10 A. I'm thinking.

11 Q. Yes, please.

12 A. I don't know. There was a legal committee
13 of The Institute and I know that occasionally we
14 had liaison. I imagine just the reason we
15 submitted it to others of The Tobacco Institute,
16 they were part of The Tobacco Institute.

17 Q. The lawyers.

18 A. Yes. We submitted it to the public
19 relations committee I'm sure.

20 Q. It was part of the public relations
21 program at The Tobacco Institute to publish the
22 tobacco and health program, right?

23 A. That isn't the name of it, but whatever.

24 Q. Tobacco and Health Research. I'm
25 sorry.

C. G. Thompson

1 A. That was part of that.

2 Q. The public relations program?

3 A. Yes, part of The Institute's, yes.

4 Q. Did it submit the publication to
5 outside lawyers for their review?

6 A. I'm sure not.

7 Q. Well, what lawyers did you send it to,
8 sir, who did you send it to?

9 A. I don't know. I don't have the list.

10 Q. You don't remember the name of any of
11 the lawyers you dealt with in this regard over
12 that 10-plus-year period?

13 A. I remember I had an association with a guy
14 named David Hardy but I think it was Dave Hardy's
15 father.

16 Q. Mr. Shinn also?

17 A. I don't know. I would probably recognize
18 the names if they were given to me.

19 Q. William Shinn?

20 A. That name is not too familiar.

21 Q. And what if anything did Drs. Little
22 and Hockett do with respect to this publication of
23 Tobacco and Health Research?

24 A. I don't recall that they did anything.

25 Q. They weren't affiliated --

C. G. Thompson

1 A. They may have been asked to write an article
2 or two, but I don't think they did. I think they
3 looked at some of the research that we used.

4 Q. They weren't affiliated with The
5 Tobacco Institute in 1968, were they, sir?

6 A. No.

7 Q. You are aware, sir, this memorandum
8 indicates that they were to be -- that copies of
9 the proposed Tobacco and Health Research
10 publications were to be sent to Dr. Little and
11 Hockett for their comments?

12 A. Yes.

13 Q. Correct?

14 A. Yes.

15 Q. Is that part of their
16 responsibilities?

17 A. It was part of what they did. I don't think
18 they would have considered it their responsibility
19 but they were helpful.

20 Q. What other help did Drs. Little and
21 Hockett provide to The Tobacco Institute other
22 than reviewing these publications?

23 A. I don't recall that they provided anything
24 to The Tobacco Institute.

25 Q. They didn't provide advice as to what

C. G. Thompson

1 should or shouldn't be done by The Tobacco
2 Institute?

3 A. Not that I know of.

4 Q. To whom were the Tobacco and Health
5 Research publications sent, sir?

6 A. I cannot answer that. They were sent to the
7 mailing list. I think it's listed in that memo.

8 Q. How large of a mailing was it, sir?

9 A. I don't know.

10 Q. More than 10,000?

11 A. I don't know.

12 (CT-11 marked for identification.)

13 Q. Mr. Thompson, I'm going to show you a
14 document marked CT-11. It's a memorandum of
15 February 27, 1968 from Sandra Dankner,
16 D-a-n-k-n-e-r, to John Doherty, D-o-g-e-r-t-y.
17 Who is that?

18 A. He was a Hill and Knowlton staff member.

19 Q. Do you know where he is?

20 A. No.

21 Q. Carbon copies went to C. Thompson, L.
22 T. File, that's Lucian File referred to as Toney?

23 A. Yes.

24 Q. J. Blish, B-l-i-s-h. Who is that?

25 A. James Blish.

C. G. Thompson

1 Q. Do you know where he is today?

2 A. No.

3 Q. And L. S. Zahn. Subject:

4 Distribution and mailing of Tobacco and Health
5 Research. See if that refreshes your recollection,
6 sir, as to the numbers of these -- the numbers of
7 Tobacco and Health Research which were
8 disseminated by the tobacco industry.

9 A. It doesn't refresh my recollection but I can
10 see here what it says.

11 Q. Where it says 360,000 were sent to
12 physicians and dentists throughout the country?

13 A. I see that.

14 Q. Does that coincide with your
15 recollection of approximately how many of these
16 documents were sent out?

17 A. I said I didn't have any recollection. I
18 see what this says and I accept it.

19 Q. Was your secretary in a position to
20 provide that type of information?

21 A. Yes.

22 Q. Why was that?

23 A. Because she helped me in what we were doing.

24 Q. What was the purpose of sending that
25 publication to all of those doctors?

C. G. Thompson

1 A. So that they could read it.

2 Q. Why was it sent to physicians?

3 A. It was about Tobacco and Health Research.

4 Q. It have anything to do with the fact
5 it was important to the tobacco industry to
6 maintain in the physicians' mind the question as
7 to the causal relationship between cigarette
8 smoking and disease?

9 MR. SELLINGER: Objection to form.

10 A. It was in order to provide them with the
11 information that was in Tobacco and Health
12 Research for whatever use they might make of it.

13 Q. Why was it provided to physicians as
14 opposed to anyone else?

15 A. It wasn't just as opposed to anyone else,
16 you can see that there were others receiving it.

17 Q. The great bulk of the documents
18 though were sent to physicians and dentists;
19 correct, sir?

20 A. Yes.

21 Q. Why is that?

22 A. Because they are the ones involved in it.

23 (CT-12 marked for identification.)

24 Q. I'm going to show you page 11 of CT-8
25 for identification and ask you, sir, why it was

C. G. Thompson

1 important to conduct a survey of doctors to
2 determine what their attitudes were towards
3 smoking and the lung cancer problem?

4 A. I cannot answer, only to say that it -- when
5 you have a public, it is interesting to know what
6 the public is thinking.

7 Q. The suggestion by Hill and Knowlton
8 was -- I'm sorry, I'll wait for your lawyer to
9 come back.

10 Mr. Thompson, this document, CT-8,
11 are public relations proposals to the tobacco
12 industry by Hill and Knowlton; correct?

13 A. Well, this says it was a draft. I don't
14 know whether that was included in the final thing
15 or not. I think you have the final document.

16 MR. EDELL: Does somebody have that?

17 MR. VASSALOTTI: We don't have CT-8.

18 MR. EDELL: It's No. 9.

19 A. They were obviously proposals submitted.
20 Whether or not they were included, I can't answer.

21 Q. Take a look at CT-9 which was
22 submitted to Bowman Gray, chairman Executive
23 Committee, Tobacco Institute, July 2, 1959. Take
24 a look at page 11 where it refers to doctor
25 studies. That was one of the public relations

C. G. Thompson

1 proposals made to The Tobacco Institute; correct,
2 sir?

3 A. Apparently it was.

4 Q. The Tobacco Institute at that time
5 didn't make any recommendations with respect to
6 doing a similar survey of construction workers,
7 did they?

8 A. I don't know.

9 Q. Is it contained in that document?

10 A. Not that I know of but I haven't gone
11 through the documents. I don't know that it is.

12 Q. And there's no suggestion that a
13 similar survey should be made of housecleaners,
14 correct?

15 A. Not that I know of. I would have to go
16 through this but I don't think it's in there.

17 Q. The only proposal in there dealt with
18 doctors. Why is it that it was important to find
19 out what the attitudes of the doctors were, sir?

20 A. Because it had been done before and it is
21 important to know what doctors are thinking about
22 it.

23 Q. Why?

24 A. Because they are a large part of the public
25 that this type of information is developed for.

C. G. Thompson

1 Q. And of what significance would it be
2 if the doctors felt that the relationship between
3 cigarette smoking and lung cancer had been
4 established?

5 A. I can't answer that.

6 Q. What would you do with the results of
7 that study other than for curiosity?

8 A. I can't answer that.

9 Q. Why was it proposed then?

10 A. I can't answer that.

11 Q. Okay, that makes it simple I guess.
12 Can you tell us what CT-12 is, sir?

13 A. No, I can't.

14 Q. Were presentations made before the
15 board of directors of the -- or the public
16 relations committee of The Tobacco Institute from
17 time to time?

18 A. Yes.

19 Q. Who would make those presentations,
20 sir, on behalf of Hill and Knowlton?

21 A. Depends upon who was doing it at the time.
22 I might some but I might not. I can't answer you.
23 The account executive.

24 Q. Were you the account executive in
25 1963?

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1 A. We had another man assigned to it in
2 Washington I think.

3 Q. Who was that?

4 A. I can't answer you.

5 Q. Who was that, sir?

6 A. Cliff Guest was among those that maintained
7 contact.

8 Q. Where is he today?

9 A. Retired.

10 Q. Where?

11 A. I don't know, out in California someplace.

12 Q. Take a look at the second page of
13 that document, see whether or not that refreshes
14 your recollection as to whether or not The Tobacco
15 Institute ever relied upon other recommendations
16 by members of the TIRC in formulating its public
17 relations program. I hope I referred you to the
18 right page, I think it's the first paragraph, sir.

19 A. I don't know what your question is.

20 Q. I may be referring to the wrong
21 paragraph. Let me make sure. Where it says "In
22 contrast, industry efforts have been tempered
23 since June 1962 when the surgeon general announced
24 his plans for review of smoking and health. This
25 stance was adopted largely on recommendation of

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1 the scientists associated with the TIRC so that
2 the industry would not risk offending the surgeon
3 general's committee." Do you see that?

4 A. Yes.

5 Q. Does that refresh your recollection
6 with respect to members of the TIRC having input
7 insofar as the tobacco industry's position on
8 public relations?

9 A. You said members of the TIRC. Do you mean
10 members of the Scientific Advisory Board?

11 Q. Correct, sir.

12 A. They were not members of the TIRC.

13 Q. Members of the Scientific Advisory
14 Board?

15 A. That does not necessarily mean the
16 Scientific Advisory Board in any official stance --
17 in any official operation on things like this,
18 there's no question but what we frequently
19 consulted scientists which would include Dr.
20 Hockett of the -- who was a member of the staff
21 and probably other members of the Scientific
22 Advisory Board and maybe other scientists. This
23 is -- we relied to a large extent on what the
24 scientists advised us or suggested or helped us
25 come to an understanding. So this was not an

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1 official action.

2 Q. How is it that you -- the tobacco
3 industry came to receive those opinions, sir, if
4 The Tobacco Institute is totally separate and
5 apart from the TIRC and the Scientific Advisory
6 Board?

7 A. Through Hill and Knowlton or any other
8 member of the staff, we can go to anybody we wish
9 and they can cooperate or not as they wish.

10 Q. At that point in time, Hill and
11 Knowlton was still public relations counsel to
12 TIRC; correct?

13 A. I don't know. I don't remember when it was
14 separated but it wouldn't matter, we could go to
15 them anyway.

16 Q. What's the date of that document, sir?

17 A. '63.

18 Q. Any particular date?

19 A. August 28.

20 Q. Let's see if CT-3 for identification
21 will refresh your recollection as to whether or
22 not Hill and Knowlton was still serving as public
23 relations counsel to the TIRC at the time that
24 that memorandum was prepared?

25 A. Apparently it was but I just go on the basis

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1 of this. I do not recollect the exact time of
2 separation. It looks to me as if in September we
3 were still participating.

4 Q. September of 1963?

5 A. That's correct.

6 Q. You wouldn't have been listed as
7 attending that meeting if you weren't in
8 attendance, would you? Is that a normal thing for
9 them to do?

10 A. Well, if I weren't in attendance I don't
11 think I would be listed as attending.

12 Q. Referring to CT-9 and the attached
13 public relations proposal by Hill and Knowlton, on
14 page five there is a listing of those things which
15 are favorable and those things which are adverse
16 to the tobacco industry's position. Under
17 favorable it has No. 4, "Practicing doctors,
18 according to the most recent poll, are not
19 convinced evidence against smoking is conclusive."
20 Why is that favorable to the tobacco industry, sir?

21 A. Because it was an issue that the tobacco
22 industry was interested in.

23 Q. Was the tobacco industry interested
24 in maintaining the impression on the part of the
25 public that the issue of cigarette smoking and

C. G. Thompson

1 disease had not been established?

2 A. So long as scientists believed that.

3 Q. During the entire period of time that
4 you were acting as public relations counsel to The
5 Tobacco Institute, was that the case, sir?

6 A. Was what the case?

7 Q. That the scientists believed that the
8 causal relationship between cigarette smoking and
9 disease had not been established?

10 A. I can't speak for all the scientists. There
11 was a great deal of division of opinion on all of
12 that as there is on all such things such as
13 saccharin in drinks that you are drinking.

14 Q. There were informational memoranda
15 that were prepared by Hill and Knowlton. Do you
16 remember those?

17 A. I remember we prepared them.

18 Q. Which would summarize all of the
19 current articles, publications dealing with
20 cigarette smoking and health. Do you remember
21 that?

22 A. I don't remember specifically but I'm
23 certain we did some.

24 Q. Was it part of your responsibility to
25 prepare the synopsis of these various articles or

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1 would that be done under your direction?

2 A. It would have been under my direction.

3 Q. Would you review these before they
4 were sent out to members of the tobacco industry?

5 A. I'm sure if I were available I would at the
6 time.

7 Q. Were you aware, sir, as to the number
8 of articles which suggested a relationship between
9 cigarette smoking and lung cancer as opposed to
10 those which said that the question is still open?

11 A. No.

12 Q. In all those years you never came to
13 a conclusion that there were more or less in favor
14 of the theory that cigarette smoking caused lung
15 cancer as opposed to the number which suggested --

16 A. As far as I know, we never counted them --

17 Q. -- which suggested that there was
18 still a question concerning cigarette smoking and
19 lung cancer?

20 A. My answer is the same, as far as I know, we
21 never counted them.

22 Q. The question wasn't whether you
23 counted them or not, sir.

24 A. You asked me if I was aware of how many
25 there were.

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1 MR. EDELL: Could you repeat the
2 question, please?

3 (Pending question read.)

4 Q. I didn't ask for you to tell me
5 whether there were 365 articles in favor and 295
6 articles against. Whether or not you came to the
7 conclusion at some point in time that there were a
8 lot more articles that suggested a relationship
9 between cigarette smoking and lung cancer as
10 opposed to those which questioned the theory that
11 cigarette smoking caused lung cancer.

12 A. I don't know as I even thought about it.

13 Q. That wasn't part of your
14 responsibility --

15 A. No.

16 Q. -- as part of your responsibility,
17 sir, to evaluate the literature?

18 A. I don't know what you mean by evaluate.

19 Q. To see whether or not it was done
20 properly, the underlying research, whether or not
21 it was new research, whether or not it was a
22 rehash of some old studies that were done? Is
23 that part of your responsibility?

24 MR. HARDY: I object to the form of
25 the question, it's a multiple question. It has

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1 three parts to it.

2 MR. EDELL: He can answer it, can't
3 he?

4 MR. CUNNINGHAM: You can go ahead.

5 A. As we have discussed, we tried to keep up
6 with the research and tell what was in it.

7 Q. Did you do that from a critical
8 perspective, sir?

9 A. We tried to do it from an objective
10 perspective because that was what was important.

11 Q. Did you during that period of time
12 form an opinion one way or the other as to whether
13 or not cigarette smoking in fact was a cause of
14 lung cancer?

15 A. No.

16 Q. You didn't form an opinion one way or
17 the other?

18 A. No. I formed an opinion that it was
19 certainly associated with it in scientific
20 research because it was.

21 Q. You came to the opinion that there
22 were some articles that contained conclusions that
23 cigarette smoking caused lung cancer, correct?

24 A. Or that cigarette smoking was associated
25 with lung cancer, not necessarily caused it.

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1 Q. The question is whether or not you
2 came to the opinion that in fact cigarette smoking
3 was a causal factor in the development of lung
4 cancer.

5 MR. VASSALOTTI: I object to the
6 question. You've asked that question already and
7 he's answered it.

8 MR. EDELL: I don't think he has.

9 A. I answered it.

10 Q. No, you told me, sir, that there was
11 literature that suggested a causal relationship.
12 What I'm asking you is whether or not you, Mr.
13 Thompson, after reviewing these hundreds of
14 articles or summary of these hundreds of articles
15 dealing with the subject of cigarette smoking and
16 lung cancer, formulate an opinion as to whether or
17 not cigarette smoking played any part in the
18 development of lung cancer.

19 A. Now that's quite a different question from
20 what you asked me before.

21 Q. Fine. Will you answer that question,
22 sir?

23 A. I came to the conclusion that cigarette
24 smoking was associated in some way with the
25 reports of lung cancer cases.

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1 Q. And what if anything did you do in
2 response to that opinion, sir?

3 A. What we did anyway, we kept the information
4 relevant to the whole question flowing.

5 Q. Was that opinion of yours one of the
6 opinions that was expressed to the general public
7 by The Tobacco Institute?

8 A. I can't say that it was expressed as my
9 opinion or an opinion but The Tobacco Institute
10 never denied that the information was there. It
11 never said it was completely wrong and erroneous.

12 Q. Did The Tobacco Institute ever say
13 that it was of the opinion that cigarette smoking
14 caused in some part the development of lung cancer?

15 A. I don't think so.

16 Q. Was that your opinion?

17 A. I said not --

18 MR. VASSALOTTI: You are
19 mischaracterizing his opinions. He said in his
20 opinion there was an association and I thought he
21 was very careful to say that he didn't think it
22 was causative. And you are changing association
23 to causation. I don't think it's fair.

24 MR. EDELL: It's an objection to the
25 form?

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1 MR. VASSALOTTI: Yes.

2 Q. What did you mean by associated, sir?

3 A. I think the only way I can answer that is to
4 say that I have followed a great deal of
5 scientific research and practically everything we
6 do is associated in some way with our health or
7 non-health problems. Whether it's breathing air
8 or the turpines from the pines or drinking
9 saccharin in Coke or eating peanut butter. I can
10 find you material that will associate it with a
11 health hazard because everything we do and
12 practically every day we live we associate in some
13 way with health risks. Even when I get in my car
14 and drive home, I'm associated with a health risk.

15 Q. One can quantify that association,
16 can't they, sir?

17 A. Sometimes they try.

18 Q. How would you quantify the
19 association between cigarette smoking and lung
20 cancer?

21 A. I wouldn't quantify, I wouldn't try.

22 Q. Why?

23 A. Because I don't know, have the information
24 to do it.

25 Q. Did you formulate an opinion, sir, at

C. G. Thompson

1 any time, that cigarette smoking did in fact play
2 some part in the development of lung cancer?

3 MR. VASSALOTTI: Object to the
4 question as being asked and answered I think at
5 least twice.

6 MR. SELLINGER: I'm also going to
7 object on relevant grounds. I don't know what his
8 personal opinion has to do with the case at all.

9 MR. VASSALOTTI: Mr. Thompson is not
10 a scientist, at least he hasn't testified that he
11 had any experience as a scientist. And I join in
12 Mr. Sellinger's objection also.

13 Q. Sir?

14 A. What?

15 Q. You can answer the question.

16 Will you repeat it, please?

17 (Pending question read.)

18 MR. SELLINGER: I'm also going --

19 MR. CUNNINGHAM: I object to the
20 phrase played some part.

21 MR. SELLINGER: I object to the part
22 at any time. Certainly after his association with
23 Hill and Knowlton.

24 A. I don't know what the phrasing of that was.

25 I obviously knew that there was scientific reports

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1 associating the use of cigarette smoking with
2 certain diseases. I also knew that there were
3 scientific reports associating many other things
4 with those same diseases. I also knew that there
5 was lung cancer reported among nonsmokers, that
6 there was lung cancer reported before smoking ever
7 started. And I think I answered in saying
8 obviously there was an association reported by
9 many people, many scientists, between smoking and
10 I will say lung diseases, and that there were many
11 who did not think it was a causal relationship.

12 Q. Did you at any point in time, sir,
13 believe those articles to be correct that showed
14 an association between cigarette smoking and lung
15 cancer?

16 MR. SELLINGER: I have a continuing
17 objection.

18 MR. EDELL: All objections except to
19 the form are reserved to trial so there's no
20 reason for you to make your statements before on
21 the record other than to try to implant something
22 to the witness to suggest that he should or
23 shouldn't say something or another.

24 MR. VASSALOTTI: I'll object to the
25 form.

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1 A. I don't know how to answer.

2 Q. Why?

3 A. Because it's so --

4 Q. Sir, the problem that I'm having is
5 that you are answering a question by telling me
6 that there is literature that suggests that an
7 association -- I know that.

8 A. All right.

9 Q. My question is not whether there
10 exists literature that shows an association. My
11 question to you is whether or not Carl Thompson at
12 any point in time came to the conclusion that
13 there was in fact an association between cigarette
14 smoking and lung disease.

15 MR. VASSALOTTI: I'll object to the
16 form.

17 A. I do, too. I don't see it has anything to
18 do, what I think or don't think.

19 Q. Not presently, sir, during the time
20 period that you were employed by Hill and Knowlton.

21 A. I don't know what I thought then. I don't
22 even know what I think today.

23 MR. EDELL: Let's take a break.

24 (There is a recess.)

25 Q. Mr. Thompson, still sticking with

C. G. Thompson

1 CT-9 for identification, let's take a look at page
2 seven.

3 A. Let me see what it is. All right.

4 Q. Under III where it says policy for
5 industry --

6 A. Uh-huh.

7 Q. It says "Reaffirm through all means
8 possible the position that the role of tobacco and
9 health and particularly lung cancer is not proved
10 and that evidence mounts that disputes the broad
11 charges." Do you see that?

12 A. Made against tobacco.

13 Q. What evidence was mounting, sir, to
14 show lung cancer was not caused by cigarettes?

15 A. It doesn't say that, it says dispute the
16 broad charges made against tobacco.

17 Q. What broad charges?

18 A. I can't list them all. There were charges
19 tobacco was doing everything.

20 Q. Causing all kinds of diseases you
21 mean?

22 A. Well, more than that.

23 Q. What else was it doing?

24 A. Well, I don't know. I mean they were just
25 bringing all sorts of charges against tobacco. I

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1 don't know what they were at the time.

2 Q. Let's take a look at page nine, I
3 believe. It says specific steps. It's on the
4 preceding page.

5 A. I go from seven to nine here so I don't know
6 whether there's something missing or not. Oh,
7 wait a minute, here's page eight out of order.
8 Specific steps, yes, on page eight.

9 Q. Then we go over to No. 4 I guess
10 would be on page nine where it says interpretive
11 articles.

12 A. Yes.

13 Q. What is an interpretive article?

14 A. That interprets the existing literature and
15 tells what it's all about.

16 Q. Does that suggest that efforts should
17 be made to have writers publish interpretive
18 articles?

19 A. Yes, in effect.

20 Q. And how is that done, sir?

21 A. I don't know that it was done. This is a
22 proposal.

23 Q. Was it ever done? Maybe not in 1959,
24 was it ever done?

25 A. I don't recall. There were interpretive

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1 articles. I don't know whether we had anything to
2 do with them or not.

3 Q. You are familiar with the True
4 Magazine article?

5 A. Not off the top of my head.

6 Q. You've read it at some point in time --

7 A. Well, I don't know what one it is.

8 Q. There was a couple of them, right?

9 A. I don't know. I was involved in articles
10 all over the place, tobacco and everything else.
11 I don't know what one you are talking about. If
12 you show it to me I could probably say yes but I
13 can't say yet.

14 Q. Are you familiar with True Magazine?

15 A. Yes, I know that it exists. I'm not
16 familiar with it.

17 Q. Did you ever monitor any articles
18 which were being published by True Magazine
19 dealing with the issue of cigarette smoking and
20 health?

21 A. I'm certain it was done somewhere on my
22 staff but I didn't do it.

23 Q. Getting back to CT-1 for
24 identification, refers to a True Magazine article
25 by Poyntz Tyler is it? Do you see that on the

C. G. Thompson

1 second page?

2 A. Yeah, I guess so.

3 Q. Were you the account executive for
4 The Tobacco Institute?

5 A. For a time, yes.

6 Q. 1958?

7 A. Yes.

8 Q. How is it, sir, Hill and Knowlton
9 kept itself abreast of what was going on in these
10 various publications that are listed here such as
11 Esquire and True Magazine, Time?

12 A. To the best of my recollection we have a
13 library and the library would screen articles of
14 interest to people and call them to our attention.
15 Some our account executives even read, some of the
16 magazines. There were many ways of doing it.

17 Q. I'm not talking about the articles
18 that were published. I'm talking about for
19 instance this article referred to in True Magazine
20 back in 1958 by freelancer Poyntz Tyler who is
21 then just doing research for an article.

22 A. What are you asking me?

23 Q. How did you find out that was going
24 on?

25 A. I don't know.

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1 Q. Well, was a concerted effort made to
2 keep contacts with these various publications?

3 A. No, but various writers knew who to come to
4 to get information if they wanted it. I don't
5 know whether he did or not. It was not unusual
6 for a writer to come to us and ask for information.

7 Q. There wasn't a concerted effort on
8 the part of Hill and Knowlton to obtain in advance
9 of publication articles dealing with cigarette
10 smoking and health, is that correct?

11 A. That's correct, there was not.

12 Q. Was it the policy of Hill and
13 Knowlton to obtain press releases in advance from
14 various other entities such as the United States
15 Government and health agencies?

16 A. I don't know what you mean by in advance.

17 Q. In advance of their being placed in a
18 newspaper or other periodical.

19 A. The Washington office screened many of the
20 press offices throughout Washington and if they
21 issued a release, we would often get it before it
22 was actually published by somebody because if it
23 was issued at 11 o'clock, it wouldn't be published
24 at 11:30. We would get them before they were
25 available to the media.

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1 (CT-13 marked for identification.)

2 Q. Mr. Thompson, I'm going to show you a
3 document which has been marked as CT-13 for
4 identification. It appears to be a summary of
5 Hill and Knowlton's activities for the year 1959.

6 A. Yes?

7 Q. Do you recognize the document?

8 A. No, no, not yet. I haven't looked at it.

9 Q. That's what I want you to do, look at
10 it and see if you recognize it.

11 A. All right, I've glanced through it.

12 Q. Did Hill and Knowlton prepare from
13 time to time summaries such as that, sir?

14 A. Yes.

15 Q. What was the purpose of preparing it?

16 A. To tell what we were doing.

17 Q. Will you please take a look, I don't
18 have it in front of me so I can't tell you what
19 page it is in terms of the numbering of the
20 document but I can tell you it's 12950. Do you
21 see those numbers?

22 A. All right.

23 Q. It says H and K assisted TIRC in
24 seeking to arrange space for its scientific
25 exhibit. Later on in the page it has, "A lengthy

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1 A. No.

2 Q. Milton Golin?

3 A. You spell it.

4 Q. G-o-l-i-n.

5 A. No.

6 Q. Richard Pratt?

7 A. No.

8 Q. Did you have any contact with any of
9 the editors at the Journal of the American Medical
10 Association?

11 MR. VASSALOTTI: Is there a time
12 reference for this question?

13 MR. EDELL: Yes, during the period of
14 time you had the TIRC account or the TI account.

15 A. I can't recall doing anything directly with
16 them which doesn't mean I didn't. Means I just
17 can't recall any specific man or episode.

18 Q. Were there efforts made to have
19 certain editorials written concerning publications
20 dealing with cigarette smoking and health?

21 A. Not particularly that I know of. I don't
22 recall any.

23 (CT-14 marked for identification.)

24 Q. The Court Reporter just handed you a
25 document we marked as CT-14. It's the December 12,

C. G. Thompson

1 1959 editorial by Dr. John H. Talbott which
2 appeared in the Journal of the American Medical
3 Association in response to an article written by
4 Dr. Leroy E. Burney which had previously appeared
5 in the journal. Do you remember that?

6 A. Not specifically.

7 Q. Will you review this document, see if
8 it refreshes your recollection.

9 A. What do you mean recollection? I vaguely
10 remember something about it. That's about all.

11 Q. Do you recall Hill and Knowlton
12 suggesting at any point in time that that
13 editorial which we marked as CT-14 for
14 identification be used for advertising purposes?

15 A. I don't recall. I would say that we did not.

16 Q. Do you know a Dr. Blasingame?

17 A. The name is familiar but I don't remember
18 who he is.

19 Q. Our old friend Dr. Blasingame?

20 A. No.

21 Q. Did Hill and Knowlton have anything
22 to do with the legislation requiring the first
23 warning label to be placed upon packages of
24 cigarettes?

25 MR. VASSALOTTI: I object to the form

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1 of the question.

2 A. I object to the form of the question. Hill
3 and Knowlton was involved in certainly keeping up
4 with what was going on and reporting the
5 activities of the committee that was considering
6 it.

7 Q. That's it?

8 A. No, that's all I'm going to say now. I
9 think we did more but I don't remember exactly the
10 time or involvement.

11 Q. What is the rest of your recollection,
12 sir?

13 A. When are we talking about?

14 Q. 1965.

15 A. The labeling?

16 Q. I believe it was 1965, became
17 effective January 1, 1966 but I could be wrong.
18 You can go to the source over there but --

19 A. We were working with The Institute at the
20 time and we helped as requested with whatever The
21 Institute did. My recollection is one of the
22 officials of The Institute appeared before the
23 committee but I would have to check the records on
24 that.

25 Q. Again, referring to this article --

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1 maybe I should have it marked.

2 (CT-15 marked for identification.)

3 Q. Here's the article by Dr. Burney who
4 I believe was Surgeon General of the United States
5 to which this editorial which we marked as CT-14
6 for identification speaks. Do you remember this
7 article by Dr. Burney now that you have it in your
8 hands?

9 A. I remember it came out, I don't remember
10 anything in it at the time. I know what it says.

11 Q. That it was Dr. Burney's opinion that
12 cigarette smoking caused lung cancer? Is that
13 what you recall, sir?

14 A. I don't recall what he concluded.

15 Q. Do you recall that Hill and Knowlton
16 obtained a copy of the article's conclusions
17 before it was published?

18 A. No.

19 Q. Would that have been a practice that
20 Hill and Knowlton participated in?

21 A. No, but it would have been something we
22 would have accepted if we had gotten it somewhere
23 but I don't think we did.

24 Q. So if somebody from the Journal of
25 the American Medical Association told you what the

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1 conclusions were, you wouldn't hang up the phone
2 and say no, I don't want to listen.

3 A. No.

4 Q. You'd take it, right?

5 A. Well, sure.

6 Q. And do you recall that having
7 occurred?

8 A. No.

9 Q. Let's take a look at the document
10 which we've marked as CT-13 for identification
11 where it says in November of 1959 Surgeon General
12 Burney's article published in JAMA, H and K was
13 able to obtain the article's conclusions before
14 publication and preparation commenced on industry
15 comment. Do you see that?

16 A. I see it now, yes.

17 Q. Does that refresh your recollection,
18 sir?

19 A. No.

20 Q. Do you have any reason to believe
21 that's incorrect?

22 A. No.

23 Q. Can I see it? And you see the
24 following paragraph where it says "Public Health
25 Service said it would issue a press release but

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1 not until one day before the issuance of the
2 article. However, a copy of the release was
3 obtained. Separate releases were issued in
4 response for Dr. Little of TIRC and Mr. Richards
5 of TI." Do you remember that?

6 A. No.

7 Q. How did you get that release?

8 A. I don't know. I said I don't remember it.

9 Q. Was there any mechanism in place by
10 which you would be able to obtain these releases
11 which weren't going to be made public?

12 A. No, we had good relationships and it's
13 possible that the PHS public relations man made it
14 available to us. There was no mechanism for it.

15 Q. Why would a statement be issued for
16 Dr. Little?

17 MR. SELLINGER: Objection, why, based
18 from whose perspective?

19 MR. EDELL: Well, Hill and Knowlton.

20 MR. O'CONNELL: I join the objection.
21 He's testified he doesn't recollect any of this,
22 it's pure speculation.

23 MR. EDELL: He says he doesn't recall
24 getting it in advance.

25 Q. Do you remember a release being,

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1 separate release being issued for Dr. Little of
2 TIRC?

3 A. I don't remember it, no.

4 Q. If that occurred, do you have any
5 understanding as to why Hill and Knowlton would be
6 doing that?

7 MR. SELLINGER: Objection.

8 MR. VASSALOTTI: Join in the
9 objection. You are asking him to speculate.

10 MR. EDELL: No, if it was part of the
11 routine for Hill and Knowlton to prepare releases
12 for Dr. Little --

13 MR. VASSALOTTI: You didn't ask him
14 that.

15 MR. EDELL: It's discovery. That's
16 all it is.

17 MR. VASSALOTTI: I'm objecting to the
18 form.

19 A. If Dr. Little had something he wanted to say,
20 we would help him issue his release.

21 Q. And Mr. Richards of TI, if he had
22 something he wanted to say, you would help him,
23 too?

24 A. Yes, he was our client.

25 Q. As was the TIRC at that time, correct?

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1 Sir?

2 A. Yes.

3 Q. And you see under D under that
4 subsection, "In addition, arrangements were made
5 for radio-T.V. statements by Dr. Robert Hockett
6 and Edward Ragland?

7 A. Yes.

8 Q. Dr. Hockett of the TIRC?

9 A. He was a staff member.

10 Q. He came up to somebody and said I
11 want to do that or --

12 A. I don't know.

13 Q. And Edward Ragland was secretary of
14 The Tobacco Institute?

15 A. He was a staff member, I don't know what he
16 was.

17 Q. Is there an advantage to obtaining
18 press releases prior to their being placed in
19 newspapers from a public relations perspective?

20 A. Yes.

21 Q. What is that, sir?

22 A. To know what's going on.

23 Q. And to give you the opportunity to
24 respond at the same time that the article is being
25 published?

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1 responsibilities to respond and criticize articles
2 dealing with cigarette smoking and health?

3 A. No, not unless he wished to. The article
4 that we are referring to contained references to
5 Dr. Little and I don't remember what he said. But
6 the article contained references to Dr. Little.

7 Q. Do you see the reference on that same
8 page to Hill and Knowlton obtaining press for the
9 editorial written by Mr. Talbott, Dr. Talbott,
10 excuse me, which we marked as CT-14 for
11 identification?

12 A. I see that it says attention to the press
13 was brought about by H and K, yes. I see that.

14 Q. Was any attention to the press
15 brought by Hill and Knowlton to Dr. Burney's
16 article?

17 A. It wasn't necessary. They gave it plenty of
18 attention.

19 Q. How do you know that?

20 A. Because there was never any time that
21 anti-smoking information didn't get wide press.
22 Anything that was pro smoking never got press
23 unless it was brought to the press's attention.

24 Q. Why was that?

25 A. Bad news is good news.

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1 Q. What does that mean, sir?

2 A. Exactly what it says. Read your paper.

3 Q. Read what paper?

4 A. Any paper.

5 Q. Bad news sells newspapers, is that
6 what you are saying? That's the reason --

7 | A. I just said bad news is good news.

8 Q. I don't understand what that means.
9 I have my B.S. in business administration, not
10 journalism so maybe you can help me out. What do
11 you mean by that?

12 A. I don't think you want me to tell you.

13 Q. I do want you to tell me.

14 A. Well, I did the analysis of the press
15 handling of a research piece that was done
16 involving the use of saccharin in cola drinks.
17 The press gave it very wide attention, the attack
18 on it. You could hardly find the analysis of that
19 research which showed that a man would have to
20 drink 1,500 cups of Coca-Cola a day to come near
21 the dosage of saccharin that was used on the mice
22 to show something was wrong with saccharin. That
23 hardly got any attention.

24 Q. Why was that?

25 | A. Because the research man didn't try to do it.

C. G. Thompson

1 account, wouldn't you?

2 A. Probably.

3 MR. SELLINGER: Objection.

4 Q. Were you aware of --

5 A. I was not aware of it. I am not aware of it
6 now. If there was any awareness it was at the
7 time and I am not aware of it now.

8 Q. How much was Hill and Knowlton
9 receiving annually approximately?

10 A. I have no idea.

11 Q. More than \$10,000?

12 A. I have no idea.

13 Q. How many people were on the account?

14 A. It varied.

15 Q. Between what and what?

16 A. I don't know.

17 Q. Was The Tobacco Institute one of Hill
18 and Knowlton's larger accounts?

19 A. I would say that it was probably in the top
20 50 percent.

21 Q. Do you recall Hill and Knowlton
22 having a limited pilot test of the Hammond survey
23 on smoking and physical complaints?

24 A. No.

25 Q. Are you aware of the Hammond article,

C. G. Thompson

1 the Hammond survey?

2 A. I'm aware of Hammond/Horn. They did a
3 number, I don't know which one this was.

4 Q. The survey through the Public Health
5 Service.

6 A. I don't recall what you are speaking of.

7 Q. Let's see if we can refresh your
8 recollection.

9 (CT-16 marked for identification.)

10 Q. I'm going to show you CT-16 for
11 identification. Tell us what that is, sir.

12 A. Do you want me to read it or just hold it
13 for the time being?

14 Q. It purports to be a proposal, I
15 believe, 1962 public relations proposal from Hill
16 and Knowlton to the tobacco industry. Is that
17 correct?

18 A. The Tobacco Institute.

19 Q. I'm sorry. You were the account
20 executive at that time?

21 A. I'm not sure I was the account executive but
22 I'm sure the executive operation under my
23 jurisdiction.

24 Q. You would have assisted in the
25 preparation of that document, sir?

C. G. Thompson

1 A. Yes.

2 Q. Take a look at I believe it's page
3 13001.

4 A. No, you gave me something wrong. 13 what?

5 MR. HARDY: You gave him too many numbers.

6 Q. You have the page, No. 4, you have
7 the right page.

8 A. All right.

9 MR. HARDY: What is the number at the bottom
10 right-hand?

11 MR. EDELL: 13011.

12 (CT-17 marked for identification.)

13 A. I've read that.

14 Q. Does that refresh your recollection,
15 sir?

16 A. No.

17 Q. You just read Paragraph 4 where it
18 says "A limited pilot test of the Hammond survey
19 on smoking and physician complaints indicates that
20 a larger survey may produce significant results.
21 Proposals are now being developed that may lead to
22 a more extensive questionnaire survey." That
23 doesn't refresh your memory?

24 A. No.

25 Q. Let's take a look at CT-17, the first

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1 document is a copy of George V. Allen's letter to
2 you of August 18, 1961 to which is attached your
3 letter to Mr. Allen of August 17, 1961 and your
4 letter of July 11, 1961 and see whether or not
5 these documents refresh your recollection.

6 A. No, it doesn't. I didn't -- I don't
7 remember getting into all this. But as I say, we
8 are into many things and I assume that this was
9 one of the proposals we made.

10 Q. Does the August 17, 1961 letter
11 contain your signature, sir?

12 A. I can't tell, it contains my name. The what?

13 Q. August 17, 1961.

14 A. Yes. I would say it does.

15 Q. If that survey was in fact contained
16 and it produced results which would have suggested
17 that the Hammond/Horn survey had been incorrect,
18 that would have been publicized I assume; is that
19 correct?

20 MR. VASSALOTTI: Objection.

21 MR. HARDY: Objection, it's a
22 hypothetical, Marc, and I think the Court's
23 already ruled you can't ask hypotheticals.

24 A. I don't know what results from this at all.

25 Q. This letter of July 11, 1961 which is

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1 attached to CT-17, the signature is faint but does
2 that look like your signature?

3 A. Yes.

4 (Discussion held off the record.)

5 (Whereupon deposition adjourned at 4
6 o'clock.)

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C E R T I F I C A T E

I, JANE LORFING, a Certified Shorthand Reporter and Notary Public of the State of New Jersey, do hereby certify that prior to the commencement of the examination the witness and/or witnesses were sworn by me to testify the truth, the whole truth and nothing but the truth.

I do further certify that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the time, place and on the date hereinbefore set forth.

I do further certify that I am neither of counsel nor attorney for any party in this action and that I am not interested in the event nor outcome of this litigation.

Jane Lorfing, CSR

Notary Public of the State of New Jersey
Certificate Number 873

Dated: _____